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House of Representatives

The House met at 10 a.m.

The Reverend Ted A. Hartley, Pastor, Farina United Methodist Church, Farina, Illinois, offered the following prayer:

O gracious and loving Creator God, we exist by Your power and we exist for Your glory. Bring justice to our courts, wisdom to our government, guidance to our schools and love to our homes. Inspire the minds of all persons to whom You have committed the responsibility of government and leadership in our country. Give to them the vision of truth and justice, that by their counsel all nations and people may work together. Give to our government passion for justice and strength of self-control that we may use our liberty in accordance with Your gracious will. Thank You, God, for the balance of our legislative and executive and judicial branches of government and the women and men who serve this great Nation with love and dedication. Bless us, God, but as You bless us, may we be a blessing to others. All honor and glory is Yours, now and forever. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Illinois (Mr. WELLER) come forward and lead the House in the Pledge of Allegiance.

Mr. WELLER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agreed to the following resolution:

S. RES. 481

Whereas Jacob Chic Hecht served as a special agent in the United States Army Intelligence Corps;

Whereas Jacob Chic Hecht served the people of Nevada with distinction from 1983 to 1989 in the United States Senate;

Whereas Jacob Chic Hecht served as United States Ambassador to the Bahamas from 1989 until 1994;

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Jacob Chic Hecht, former member of the United States Senate.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Jacob Chic Hecht.

The message also announced that the Senate has passed a bill of the following title in which concurrence of the House is requested:

S. 879. An act to make improvements to the Arctic Research and Policy Act of 1984.

The message also announced that pursuant to section 214 of title II, Public Law 107-252, the Chair, on behalf of the Majority Leader, appoints the following individual to serve as a member of the Election Assistance Board of Advisors:

Wesley R. Kliner, Jr. of Tennessee.

RECOGNIZING REV. TED HARTLEY AS GUEST CHAPLAIN

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I rise today to introduce the Reverend Ted

Hartley, Senior Pastor of Farina, Illinois United Methodist Church as today's guest chaplain.

Rev. Hartley is a native of McLeansboro, Illinois and served as a pastor for 14 years. In addition to serving in towns such as East Peoria, Charleston, Virden and Abingdon, Illinois, Rev. Hartley has also preached the gospel in places such as Zimbabwe, Moscow, throughout Europe, Japan and China.

He has been an outspoken and integral advocate for fostering race relations and ecumenical work. Rev. Hartley is a graduate of Southern Illinois University at Carbondale and is a well-known Salukis fan. He attended seminary at Garrett Evangelical and Methodist Theological School in Ohio.

Accompanying him today is his son, Chris, an 18-year-old college student who is poised to become a future American Idol with his band Noxious, as well as Matthew Metcalf.

I am honored to have Rev. Hartley share his prayer with us today, and thank Father Coughlin for giving him and Farina, Illinois an opportunity of a lifetime.

ETHNIC GENOCIDE IN BURMA

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, yesterday demonstrations in over a dozen countries, including the U.S., U.K., Thailand and Japan took place demanding that the U.N. Security Council take action to stop the violence in eastern Burma.

I join them today in speaking out against the brutal military dictatorship of Burma. The thugs of Rangoon are on an all-out rampage. Since March the Burmese military dictatorship has forced over 15,000 Karen tribal people from their homes.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H2643

This map shows more than 2,800 villages. All of these dots are villages that have been destroyed, and hundreds of thousands of people displaced since 1996. These photos point to the awful plight of the displaced persons.

There are numerous reports documenting the systematic tracking, torturing, the killing of many of the Karen tribe in the recent weeks. But ethnic genocide is occurring in Burma.

On December 16 the U.N. Security Council held its first-ever briefing on Burma. At the briefing, U.N. Secretary General Annan indicated that the Security Council should get involved in Burma.

But mere talk is not enough. The U.S. should lead an effort to pass a resolution on Burma and the Security Council.

The world knows what is happening. If the international community does not act, we are complicit in their atrocities.

NATURAL DISASTERS

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute.)

Mr. BLUMENAUER. Mr. Speaker, as we have seen this week in the news, it is not just the Gulf Coast that is at risk for flooding and other natural disasters. Indeed, it is the whole Nation.

The Governors of Maine, Massachusetts and New Hampshire have all declared states of emergency due to flooding from torrential rains. Four thousand residents in Merrimack County, Massachusetts are just now starting to return to homes filled not just with water but with sewage.

Florida has declared an emergency as well due to wildfires. Residents of Edgewater, Florida were evacuated when a wildfire broke out south of Daytona Beach. Eight thousand acres and several homes were burned.

Hurricane season officially starts the first of next month, with researchers at Colorado State predicting as many as five intense hurricanes this year, with the chance of one striking the gulf coast at least 50 percent.

When less than half the States require even comprehensive plans to deal with natural disasters, one asks, is it going to take another whole summer of fires, hurricanes, and other such disasters for the Federal Government and States to take simple, commonsense steps to protect communities? We can start today in our Transportation and Infrastructure Committee.

MEDICARE PART D ENROLLMENT ACTIVITY

(Mr. FOLEY asked and was given permission to address the House for 1 minute.)

Mr. FOLEY. Mr. Speaker, as of midnight, May 15, 90 percent of seniors had prescription drug coverage, despite the warnings and threats from the other side of the aisle. They threatened, they

scared seniors in robocalls, paid for by people who have prescription drug coverage, telling them too confusing, too difficult, not adequate.

Let me tell you something. The very people that were raising a ruckus and scaring seniors are the ones that are on this floor that do have prescription drug coverage paid for by the taxpayers.

Union groups that are paying for these robocalls urging seniors to be panicked, well, these are the seniors that got us through the Depression, World War II, Vietnam. These are the people that have fought for the values of this country. And they are being insulted daily by the rhetoric that somehow they can't figure out how prescription drugs work.

I am embarrassed by the conduct of others. But I am proud that Palm Beach County and people in the 16th District of Florida knew enough to be able to sign up and now are receiving valuable needed coverage on prescription drugs.

QUESTIONING THE PRESIDENT'S BORDER PLAN

(Mr. EMANUEL asked and was given permission to address the House for 1 minute.)

Mr. EMANUEL. Mr. Speaker, it seems the President has found a new use for the Guard, dealing with his Presidency.

On Monday the President announced his intention to send 6,000 National Guardsmen to secure the border. Never mind that his budget cuts the National Guard by 17,000, and that the Guard has been stretched to the breaking point by the war in Iraq.

Never mind that the President's own budget this year fails to provide adequate funding for new border agents, and never mind that Michael Chertoff, the head of Homeland Security, thought this was a bad idea just 6 months ago.

In December 2005 Michael Chertoff told Bill O'Reilly, "The National Guard is not trained for the border mission."

Now it is an election year, the President's poll numbers are down, so the President has decided to deploy the Guard, regardless of what his own budget and the Homeland Security Director has said.

This is an election year, of course. Michael Chertoff is now changing his tune. "What the President did last night was to put on the turbo chargers in dealing with and focusing on this illegal immigration effort that we have got, on a comprehensive basis."

Mr. Speaker, I have been in politics a long time. I have seen my share of political gestures. Having failed to do anything on immigration for 5½ years, the President has decided to act with just 5½ months to go before election day.

It is time for a change. It is time for new priorities.

IRAQI TANK BRIGADE TAKES CONTROL OF TAJI

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the American Forces Press Service recently reported that only 7 months ago, the Iraqi 2nd Brigade of the 9th Mechanized Division had no personnel, weapons, uniforms, housing or tanks.

Since January, members of the U.S. Army's 7th Squadron, 10th Cavalry Regiment, have served as mentors, coaches and battle partners to the Iraqi Brigade. While fighting together against terrorists on the streets of Iraq, they have formed a strong partnership and greatly improved the brigade's ability to protect the lives of citizens and create a civil society in Iraq.

Today, the 2nd Brigade is now ready to defend 150 square kilometers of the region. As these brave Iraqi soldiers begin to fulfill this important responsibility, I believe we should recognize this clear sign of progress in Iraq. I am especially proud of the U.S. troops who trained and equipped Iraqis to serve their own country. By confronting terrorism in Iraq we are protecting American families at home.

In conclusion, God bless our troops, and we will never forget September 11.

PLAN B FOR MEDICARE PART D

(Mr. BISHOP of New York asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of New York. Mr. Speaker, just because the Medicare enrollment deadline has passed and the President refuses to extend it, those of us who voted against a shortsighted Medicare bill and opposed this past Monday's deadline will not fade quietly away.

We will continue to fight for seniors who need more time to choose a plan that is right for them. We will fight the punitive lifetime tax on the elderly and disabled who, through no fault of their own, have yet to sign up for a plan.

And here is the ultimate irony. While the President and congressional Republicans never met a tax cut they didn't like, including more dividend and capital gains tax cuts for the already very comfortable, corporate tax holidays for extra-territorial income, they are imposing a new tax on one of the most vulnerable segments of our population: seniors.

Medicare part D works just fine for the pharmaceutical companies and big business HMOs, but it is not working for those seniors who have yet to sign up for a plan and who will have to pay for it for the rest of their life.

Mr. Speaker, it is long overdue that we fix this program. We need a plan B for part D.

MINNESOTA STEM CELL ADVANCES

(Mr. KENNEDY of Minnesota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KENNEDY of Minnesota. Mr. Speaker, stem cell researchers at the University of Minnesota and BioE, a company in my home State, have reported that they have successfully differentiated cord blood stem cells into lung cells.

This potential breakthrough would extend the promise of stem cell research to a treatment of many respiratory conditions. And just this past February, researchers at the University of Minnesota discovered the potential application of cord blood stem cells in nerve tissue regeneration.

This research reinforces the importance of the Stem Cell Therapeutic and Research Act we passed last year, and why we must fully fund the stem cell research it authorized.

This research out of my home State of Minnesota reminds us that stem cell research that respects life is already being used to provide astonishing miracles for devastating diseases.

OUR COUNTRY IS LIVING IN DEBT

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, during these tough economic times when Americans are paying record amounts at the pump, struggling with rising college tuition bills and facing high health care costs, many families are working hard to keep their bank balances positive and their heads above water.

These families know well the consequences of going into debt and the importance of living on a pay-as-you-go system. It is a lesson that they should teach House Republicans who have once again proposed a budget resolution that sends us spiraling even further into record debt and proposes no plan for balancing our Nation's account.

Republicans propose we continue living on credit, money borrowed from nations such as China, to whom we now owe \$257 billion. In fact, they have the audacity to propose that we even increase the debt limit for our Nation for the fifth time since this President took office.

Mr. Speaker, this shameful budget proposal is another example of how this Republican Congress failed to do what every American family must do, to live within their means.

BORDER SECURITY AND IMMIGRATION LAW ENFORCEMENT

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, earlier this week President Bush laid out a plan to

strengthen our border security, and I commend him for focusing on this vital issue. There is nothing more important to me than the safety and security of this country. Border security is the starting point for ensuring that all Americans remain safe.

Don't get me wrong. I sympathize with those who wish to live the American dream. America is a Nation of immigrants, but we must never forget that we are also a Nation of laws. Immigration laws exist to provide the necessary steps for safe and legal entry into this country. And we must be able to enforce them.

Illegal immigration is a major problem that is having a very negative effect on our education, health care, Social Security, taxes, employment, wages, crime and countless other areas of our daily lives. Immigration laws exist to provide the steps for safe and legal entry into this country, and we must enforce them.

I support doing whatever it takes to secure our border and enforce our laws, including deploying members of our National Guard to our southern border. I also support denying government benefits to illegal aliens, making English our official language, and cracking down on those who knowingly hire illegal workers. However I do not support a guest worker program that has amnesty components or that leads to citizenship for those who break our laws.

□ 1015

BUDGET IMPACT ON WOMEN

(Ms. SOLIS asked and was given permission to address the House for 1 minute.)

Ms. SOLIS. Mr. Speaker, this morning I rise to highlight how the Republican budget resolution will harm millions of women and children around the country.

This budget makes it more difficult for young women to earn college degrees by cutting their financial aid. This budget continues to shortchange hundreds of thousands of children by freezing for the 5th year, the 5th year, the Child Care Development Block Grant.

During the President's tenure, the number of children living in poverty has actually increased and not decreased. In addition, the Republican budget resolution cuts key health programs, veterans programs, and environmental programs. These cuts, as you know, will hurt our American families when they are feeling the pain the most, when they have to pay higher gas prices. All their bills are going up. Health care costs are out of bounds.

H. Con. Res. 376 will actually increase the Nation's deficit, does nothing to balance the budget, and adds to the crushing national debt.

I urge my colleagues to support the Democratic budget substitute and vote "no" on this immoral and irresponsible Republican budget resolution.

REPLACE IMPORTED OIL WITH DOMESTIC BIOFUELS

(Mr. WELLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELLER. Mr. Speaker, our Nation is addicted to oil, and it is a national security issue.

The fact that two-thirds of the oil that we consume is imported puts us at risk. Today left-wing autocrats like Venezuela's Hugo Chavez have told us very clearly they plan to use oil as a political weapon against the United States.

There is a reason we have \$3 gasoline. It is time that we replace imported oil with domestic, homegrown biofuels like ethanol and biodiesel.

Last year's energy bill was a good start, doubling the biofuels that we consume from 4 billion to 7.6 billion gallons by the year 2011. That is why today there are 26 organizations in Illinois planning to move forward to build ethanol plants, five in the district that I represent alone. But that only represents 2.5 percent of all the fuel that we consume; so we need to do more.

I urge this House to move forward on an aggressive plan to replace imported oil with the homegrown biofuels. The Biofuels Act of 2006 accomplishes that goal. Let us pass it. Let us move it now.

REPUBLICAN BUDGET PUTS U.S. FURTHER IN DEBT TO OTHER NATIONS

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, instead of offering a plan to bring us out of debt, the Republican budget actually makes the deficit worse. This is fiscal irresponsibility, and that means that we will continue to borrow billions of dollars from other nations.

Today we owe Japan \$682 billion; China, \$249 billion; the Caribbean nations, \$115 billion; Korea, \$66 billion; and OPEC, that is right, the oil-producing nations we rely on so heavily to fuel our vehicles, we owe \$67 billion.

Washington Republicans have been so fiscally irresponsible that President Bush has now borrowed more money from other nations than all other 42 predecessors combined. And they are not done. They plan to borrow more because they stuck another debt limit increase in the budget.

Mr. Speaker, this does not sound like a record anyone would be proud of. No wonder that so many Republicans are skittish about supporting it.

The Democratic plan balances the budget in 5 years and restores pay-as-you-go that worked so well in the 1990s.

THE MEDICARE PRESCRIPTION DRUG PLAN

(Mrs. MYRICK asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Mrs. MYRICK. Mr. Speaker, Monday marked the cut-off date for all seniors to sign up for the new Medicare prescription drug plan. And I am happy to announce that more than 38 million seniors, representing more than 90 percent of all seniors on Medicare, now have coverage for prescription drugs.

We created this program because seniors were having to choose between their prescriptions and paying their bills, and now they do not have to make those sacrifices to get the medicines that they need.

I also want to take a moment to thank the countless organizations who helped them and made sure that they signed up for the right plan. They walked them through the process, and I applaud them for that. It was very helpful. And, again, now more than 38 million seniors have coverage for prescription drugs. They have it because we made a promise, and we kept it.

DARFUR, SUDAN

(Mr. AL GREEN of Texas asked and was given permission to address the House for 1 minute.)

Mr. AL GREEN of Texas. Mr. Speaker, a tragedy of the highest magnitude exists in Darfur in Sudan, Africa.

Mr. Speaker, over 450,000 have died; 2.5 million have been displaced internally; 200,000 have fled to Chad; 3 million, Mr. Speaker, are living on emergency aid.

Mr. Speaker, this tragedy exists for two reasons: One, people of ill will, the actions of these people of ill will; and two, the inactions of people of good will.

Mr. Speaker, it is time for people of goodwill to take a stand and realize that injustice anywhere, as Dr. King put it, is a threat to justice everywhere. And injustice in Sudan in Africa is a threat to justice in America.

BORDER SECURITY

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, the American people have reached a consensus on the border security issue; so I find it very hard to understand why we here in Washington are having trouble doing the same.

Outside the Beltway people think it is perfectly reasonable to build a wall to protect the border. They do not see a problem with installing surveillance technology to monitor the border. They do not support amnesty.

It is only here where the pundits rule, and in the New York newsrooms, that we see such hand wringing on the border security issue. An op-ed in The Washington Post called people concerned about illegal immigration "nativists." Apparently, worrying about border security and the rule of law

makes one a nativist. I find that it is a sad statement on the attitude of those opposed to beefing up our border security.

I ask my colleagues to join me to look past the pundits, past the liberal editorial pages, and do what the vast majority of Americans want done: Secure the border and do it without amnesty.

REPUBLICAN BUDGET INCREASES DEBT WITH NO PLAN TO BALANCE BUDGET

(Mr. SALAZAR asked and was given permission to address the House for 1 minute.)

Mr. SALAZAR. Mr. Speaker, 6 years ago our Nation was in a secure financial position. We had a balanced budget, a pay-as-you-go system for funding government programs, and a record surplus of \$5.6 trillion.

Now after years of imposing their reckless fiscal policies on this country, the administration and Congress have squandered our reserves, and their policies have created a record \$3.2 trillion debt.

Not only that, but under this watch the cost of living for average Americans has gone up significantly. In just the last few years alone, gas prices have reached \$3 a gallon, fuel costs for farmers have gone up 113 percent, and the interest rate has risen more than 16 times.

But just when you think things cannot get any worse, the leaders of this body put forward a shameful budget resolution that makes no attempt to bring our Nation's finances back into balance. Instead, their irresponsible fiscal record continues full steam ahead. The proposed 2007 budget will increase the deficit even further with no plan to ever return to balance in the future.

Mr. Speaker, this budget resolution may be more of the same, but Americans know it is time for change.

IMMIGRATION REFORM

(Mr. MCHENRY asked and was given permission to address the House for 1 minute.)

Mr. MCHENRY. Mr. Speaker, the U.S. House last year in December did the right thing and passed a strong immigration reform bill that increases border security and takes amnesty off the table.

Now it is time for the Senate to respond to the growing problem of illegal immigration and do what is best for legal immigrants and citizens of this country.

I am encouraged by President Bush's plan to increase our security by positioning National Guard troops on our southern border. This will provide essential, but temporary, security along our porous and vulnerable borders.

However, the better alternative is to enact a comprehensive border security program like the House bill by con-

structing fences, bolstering our Border Patrols, and improving our surveillance capabilities.

Additionally, a guest worker program is nothing more than amnesty wearing makeup. It is easier to look at, but it is still ugly underneath. The simple truth is that if you break the law to come to this country, you will not respect it once you are here.

STROKE AWARENESS MONTH/STOP STROKE ACT

(Mrs. CAPPS asked and was given permission to address the House for 1 minute.)

Mrs. CAPPS. Mr. Speaker, I wish to remind my colleagues today that May is Stroke Awareness Month.

Throughout this month we recognize the millions of Americans struggling with the effects of stroke, and we recommit ourselves to helping them. We also acknowledge the efforts of organizations, like the American Stroke Association, which provide leadership, helping all of us to prevent and treat stroke.

On average every 45 seconds, someone in the United States has a stroke, and someone dies from stroke every 3 minutes. Representative PICKERING and I have introduced the Stroke Treatment and Ongoing Prevention Stroke Act, H.R. 898, the STOP Stroke Act, which now has the support of 132 of our colleagues. This legislation will increase awareness, provide critical resources to implement stroke care systems. The legislation will help ensure that patients recognize the symptoms of stroke and treat it as a medical emergency. We want to ensure that hospitals and other health care providers provide timely, lifesaving treatment that reduces disability from stroke and the need for extensive rehabilitation.

I urge my colleagues to support this bill and all efforts which address the scourge of stroke.

HYPOCRISY HAS CROSSED THE BORDER

(Mr. KELLER asked and was given permission to address the House for 1 minute.)

Mr. KELLER. Mr. Speaker, hypocrisy has crossed the border. Mexico has its own serious illegal immigration problem. Hundreds of thousands of illegal immigrants are coming across Mexico's southern border from Guatemala and other Central American countries.

What do Mexico's politicians say about it? They say these illegals are overcrowding Mexico's hospitals and schools. They say they are taking away jobs from Mexican citizens. They say it poses a security threat to Mexico.

In other words, they sound like the Minutemen.

What did Mexico do about it? Did they put out a welcome mat? Did they grant everyone citizenship? No. They got tough. Mexico put their military at the southern border to stop illegals.

Mexico deported 250,000 illegals last year. And Mexico criminalized illegal immigration, making it a felony punishable by 2 years in prison.

Now Mexico hypocritically criticizes our having National Guard troops on the border.

We have a saying in this country: Actions speak louder than words.

THE REPUBLICAN BUDGET

(Mr. McDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McDERMOTT. Mr. Speaker, the do-nothing Congress is in session today to enact a sham budget.

Let me explain why I say that. There is a provision in that budget which raises the debt limit. Now, if you are balancing the budget, why are you implying you are going to go out and borrow more money? If one of your children said, "Well, Dad, I am making \$40,000 this year, but my wife and I have decided to take \$100,000 in a home equity loan so we can pay for whatever we want," you would tell your son or your daughter that was fiscally irresponsible.

What the Republicans are doing is borrowing more than \$300 billion from the Chinese, the Japanese, and anybody else who will give us money, and they are giving it in a tax cut to the people earning \$1 million a year. They are going to get over \$100,000 back from the borrowing. That is what this budget really does. It is a sham. It doesn't balance anything, and it should be rejected, both by the Congress and the people on election day in November.

□ 1030

CONGRATULATING MARIETTA HIGH SCHOOL

(Mr. GINGREY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY. Mr. Speaker, I rise today to congratulate Marietta High School in Cobb County, Georgia, on an outstanding accomplishment.

This past week, Marietta High School was honored as one of the top 5 percent of all high schools in America by Newsweek magazine. The magazine praised the school's commitment to student achievement and noted the high number of advanced placement and international baccalaureate students at Marietta.

When I served as chairman of the Marietta City School Board, I was always impressed by the school's deep commitment to student achievement. This award is certainly well deserved.

Mr. Speaker, I would like to congratulate Principal Leigh Colburn, Assistant Principal Donna Thornton and all the faculty and staff at Marietta High School. They are doing an incredible job educating our children, and I

should know. After all, I am the proud parent of four former Marietta High School students.

Mr. Speaker, I ask that you join me in congratulating Marietta High School on this impressive achievement, and in thanking the school for its dedication to developing the minds of our community's rising leaders.

HOUSE REPUBLICANS NEED TO STAND UP TO BUSH ADMINISTRATION AND HELP AMERICA'S SENIORS

(Ms. CORRINE BROWN of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CORRINE BROWN of Florida. Mr. Speaker, House Republicans have failed millions of American seniors by choosing once again to rubber-stamp the harmful policy of the Bush administration. Despite the fact that recent polls show only 55 percent of seniors knew about the May 15 sign-up deadline for a private prescription drug plan, House Republicans refused to join us in extending the deadline until the end of the year.

Now, millions of seniors who have yet to sign up cannot until the end of the year. House Republicans and the Bush administration will also penalize them when they sign up with at least a 7 percent tax on their premium, a tax that they will be forced to pay every month for the rest of their lives.

Our seniors are not to blame for this complicated and confusing prescription drug law. It is so confusing that the people who are attempting to answer the seniors' questions about the different plans are giving out wrong information more than half of the time.

Once again, the House Republicans have failed American seniors.

PROPOSED BUDGET REAFFIRMING COMMITMENT TO FISCAL DISCIPLINE AND REFORM

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, with record deficits and national debt, today the House of Representatives will take on one of our most important duties every year. We will consider a budget resolution.

Thanks to the leadership of Speaker DENNIS HASTERT, we will be bringing a budget to the floor that will reaffirm our commitment to fiscal discipline and reform. By holding the line on the President's number on domestic spending and by including a rainy day fund for the first time ever, Republicans will say to millions of Americans, troubled by a sea of red ink, we hear you and this Republican Congress is ready to make the hard choices to put our fiscal house in order.

I urge all of my colleagues to stand together today, Republicans and even

Democrats, to support this budget resolution.

PROPOSED BUDGET A FISCAL CATASTROPHE

(Mr. POMEROY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POMEROY. Mr. Speaker, the preceding 1 minute could not have been more false. Today's budget raises the debt limit again, today's budget will add deficits in each of the years of its operation, today's budget will bring the national debt to \$9.6 trillion, and to hear words on the floor of this House about this being a budget of fiscal discipline, this being a budget responding to the concerns of taxpayers worried about red ink, that is pure unadulterated hokey.

This budget is a fiscal catastrophe. It raises the debt limit in May, just after we raised the debt limit in March.

Anyone thinking that the Nation's finances have spun completely under control under the consolidated power of this administration and this Republican Congress needs only to look at this budget and only needs to look at the fact that they are back at the bank one more time, raising the debt limit, to understand the deep trouble that we are in.

THE BENEFITS OF THE MEDICARE PRESCRIPTION DRUG PLAN

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I am excited about the benefits of the Medicare D prescription drug plan. I have two stories I would like to relate to you and to my colleagues.

I have one lady who is saving \$24,000 a year by now taking part in Medicare part D. For the first time in years, she now is back on the road driving because she couldn't afford to buy automobile insurance. So not only is she saving money, but she is now free again to take part in activities that she for so long put aside.

Another HIV-positive disabled individual is saving \$15,000 a year accessing the Medicare D prescription drug plan.

So it is a plan that is working. For those that did not sign up, I would encourage our seniors to continue to investigate it. At the most, it will be an additional \$25 premium if they sign up in May. And if you are low income, there is never a penalty. Low-income seniors who take access even now will never pay a Medicare D prescription drug penalty, because the program was designed for the poorest of all seniors so they wouldn't have to make a choice between food and prescription drugs.

BUSH ADMINISTRATION WAS WRONG TO FORCE SENIORS INTO A DRUG PLAN BY MAY 15

(Ms. BERKLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BERKLEY. Mr. Speaker, Republicans were dead wrong to force American seniors to pick a private drug plan by May 15.

Choosing the right plan is not easy for any of us. Seniors had dozens of plans to choose from. In Nevada alone, we had 44 plans. But this decision was made even more difficult by an incompetent Bush administration that did not give seniors accurate information.

The nonpartisan GAO conducted an investigation which concluded seniors were receiving bad information 60 percent of the time on critical questions concerning which drug plan cost the least based on a senior's prescription drug needs. One in five seniors are now actually paying more for their drugs than they did before they signed up. Seniors received bad information from the Bush administration, and based on this bad information, they made a very bad decision.

House Democrats wanted to extend the deadline until the end of the year, giving seniors more time and preventing an unfair penalty tax from taking effect. House Republicans refused to join us in this effort, and now millions of seniors will unfortunately pay the price.

COMMUNICATION FROM CONSTITUENT SERVICES DIRECTOR OF HON. SAM JOHNSON, MEMBER OF CONGRESS

The SPEAKER pro tempore (Mr. GILLMOR) laid before the House the following communication from Jerry Durham, Constituent Services Director of the Honorable Sam Johnson, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 15, 2006.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil subpoena, issued by the 417th Judicial District Court for Collin County, Texas, for testimony and documents.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

JERRY W. DURHAM,
Constituent Services Director.

PROVIDING FOR CONSIDERATION OF H.R. 4200, FOREST EMERGENCY RECOVERY AND RESEARCH ACT

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I

call up House Resolution 816 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 816

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4200) to improve the ability of the Secretary of Agriculture and the Secretary of the Interior to promptly implement recovery treatments in response to catastrophic events affecting Federal lands under their jurisdiction, including the removal of dead and damaged trees and the implementation of reforestation treatments, to support the recovery of non-Federal lands damaged by catastrophic events, to revitalize Forest Service experimental forests, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour, with 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Resources, 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment recommended by the Committee on Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of the amendment in the nature of a substitute printed in the Congressional Record and numbered 1 pursuant to clause 8 of rule XVIII. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. Notwithstanding clause 11 of rule XVIII, no amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Utah (Mr. BISHOP) is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for the purpose of debate only, I yield

the customary 30 minutes to the gentlewoman from California (Ms. MATSUI), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, H. Res. 816 provides for a structured rule and allows for 1 hour of general debate with 20 minutes equally divided and controlled by each of the chairman and ranking minority members of the Committee on Resources, the Committee on Agriculture and the Committee on Transportation and Infrastructure.

There also are four amendments, Democrat amendments, that have been filed with the bill made in order. Each of these amendments was considered in the committee markup and was defeated in those markups, but we have decided in the rule of fairness to allow them all to have a chance of debating those amendments on the floor, giving them another chance to convince a majority of the House Members that their approach to forest management is better than the bill before us.

In testimony received in the Rules Committee, it was mentioned that this particular bill has had, approximately 50 times, a redrafting to make sure the needs of individuals were met; it was passed by strong bipartisan support in both the Rules Committee and the Agriculture Committee; it has 147 bipartisan sponsors; it has had nine hearings; the sponsors have traveled to forests from Oregon to Georgia; they have had input from Fish and Wildlife, from Tribal land managers; it has been endorsed by the 25,000-member National Federation of Federal Employees Union, by the 15,000 members of the Society of American Foresters and by the 12,000-member Coalition of Professional Firefighters.

This bill has gone through regular order. It is as regular, it is so regular you would think it was sponsored by Metamucil.

I am also very grateful to the chairman of the subcommittee who is the sponsor, Mr. WALDEN, for his work on this, as well as Mr. GOODLATTE, Mr. GILCREST, Mr. BAIRD, Ms. HERSETH, who presented this bill to us, and also to the gentleman from Washington, Mr. HASTINGS, who told me everything I need to know about forests, and if this bill is good with him, it obviously has to be a good bill.

Those of us who live in the western States realize that we have enormous tracts of land, both in Forest Service land and in BLM lands, and the forest in those areas has been under tremendous stress in the past two decades. We estimate there are at least 190 million acres of land at risk, over 1 million acres that is currently in a restoration backlog. It has taken us about 2 years to begin the restoration process. If there is any kind of regulatory process, the average is 3½ years.

□ 1045

Yet, in those same areas, non-Federal lands, whether it is private or governmental, can begin their restoration process in weeks using best practices that have been tried and true.

At the Rules Committee it was mentioned after the Mt. St. Helens eruption, if you now go to Washington State, you can clearly see where the private forest management, which included selective and partial harvesting of dead timber, has resulted in a quicker and better recovery than adjacent Federal lands where the actions have been hindered oftentimes by litigation.

In my own State of Utah, the Dixie National Forest in southern Utah over a decade ago was infested by pine beetles, originally committed to only 6 acres of infestation above the Cedar Breaks National Monument, an area that was filled with beautiful and very tall Englemann spruce trees.

The best available science protocols and the Forest Service's preferred alternative was a remediation plan that called for harvesting of a certain size of tree in the infested area. Apparently these pine beetles only like a certain age of trees; kind of like a fine wine of only a certain year is what they would consume. The forestry experts said that by harvesting selectively in this contained 6-acre area, they could contain the insects' further spread.

Unfortunately their plan was subject to intense litigation which lasted for over 2 years. In that 2-year period of time, the Forest Service was precluded by injunction from proceeding with their remediation plan. The beetle, unfortunately, did not wait for those 2 years, for the lawyers and the judges in a typical slow, deliberative judicial pace to solve their differences.

Instead of 6 acres being impacted, thousands of acres were killed in this particular forest. Today, if you visit this area, the sad legacy of this litigation was that under the guise of protecting our forest, it was actually very extremely detrimental to our forest. What was once a pristine and amazingly beautiful forest is now acre after acre after acre of dead trees. Habitat has been lost, vegetation was lost, mud slides have increased, water and air quality has decreased, and soil erosion has increased. This area is now an extremely high risk of devastating fire.

There are events that take place in our life that disrupt our forest system. Last year we passed the Healthy Forest Restoration Act to give tools of management to our forest experts for forest health, for community protection, fuel reduction and fire prevention.

This year we are now bringing before you the Forest Emergency Recovery and Research Act, a commonsense recovery plan that would follow natural disasters affecting our forest land. This gives tools of rehabilitation. It is not a plantation forest which environmentalists do not like. There is heavy emphasis on alternative energy that can be

used for some of the materials that will be recovered.

You may hear some opponents of this particular bill talking the same old talking points of yesteryear. The important thing to remember is in H.R. 4200 there are three specific elements to it.

Number one, it pursues scientific research in conjunction with land grant universities to improve our knowledge about postcatastrophe treatment. Secondly, it mandates preapproved action, subject to peer review, without blatant proscriptions of actions that will give best science efforts in controlling and preserving our forest land. Number three, it provides firefighter protection.

The most treacherous and dangerous situation for a firefighter is always the second fire in the same area. The passage of this bill would eliminate the potential harm and risk not only to species, but also would potentially save the lives of many of our firefighters.

This bill is such a good bill that it actually should be on the suspension calendar, but we are here today to consider this legislation on the floor under a rule. Once again, Mr. Speaker, this rule provided under H. Res. 816 is fair by any standard of judgment.

I am proud to be a cosponsor of this underlying legislation, the Forest Emergency Recovery and Research Act. I believe it represents a model for how Congress can act in a methodical, reasonable and bipartisan manner to address vital concerns on this emotional environmental issue.

Mr. Speaker, I urge the adoption of the resolution and the underlying legislation in H.R. 4200.

Mr. Speaker, I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I thank the gentleman from Utah (Mr. BISHOP) for yielding me this time, and yield myself such time as I may consume.

(Ms. MATSUI asked and was given permission to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, our forests are a valuable natural resource. They offer beauty and recreation for many across the Nation. My own hometown of Sacramento is but a couple of hours from Tahoe National Forest. Throughout the year, Sacramentans can be found taking advantage of this proximity, using the park for hiking, skiing and camping.

With 18 national forests and 20 million acres of national forestland in my home State of California, we face the challenge of a wildfire on almost an annual basis. Many western States deal with forest fires every summer.

In addition, America's forests also endure damage from hurricanes, floods, mudslides and our natural disasters. All of these events require swift action from our Nation's brave network of first responders as well as tailored government policies to help forests regenerate over the long term.

The rule before us would authorize debate on H.R. 4200, a bill which its

supporters see as a way to speed forest recovery by loosening or eliminating some Federal regulations protecting our public lands. Such a proposal demands scrutiny and debate.

To warrant congressional action, there must be a demonstrable need for such a proposal and reliable proof that the proposed solution meets that need. Unfortunately, the evidence on the need for this bill points in both directions. While some sources claim that this bill would improve the state of forests, other scientific accounts indicate that H.R. 4200 would actually hurt the forest recovery process.

We do know that it would create a loophole to allow some industries to skirt compliance with the National Environmental Policy Act and the Endangered Species Act.

Supporters contend that the logging industry is saddled with unfair government regulations which impede their postfire operations and ultimately hurt the forests themselves. At the same time, 35 percent of all logging in national forests in the past 6 years came from timber salvage in ways similar to this bill, accounting for \$35 million to \$40 million annually. The only difference is that now these activities have to comply fully with NEPA and the Endangered Species Act before moving forward.

While a CBO estimate projects that this bill would increase timber profits from salvaging by 40 percent, the first question which must be answered is not one of business, but one of science. Does the policy recommended under this bill make sense?

As I stated at the beginning, the evidence is too murky to tell, and we need to spend more time learning about and debating this issue before we act. I am encouraged that the Rules Committee recognized this and made four amendments in order which will add to the public discourse on this bill.

However, it is difficult to ignore the arguments of those opposed to H.R. 4200. One such voice comes from a January 2006 issue of Science Magazine. In that issue, a group of researchers published a study of logging in the aftermath of the 2002 Biscuit fire in Oregon. This peer-reviewed study concluded that the impact of logging in these areas reduced regeneration of new trees by some 70 percent.

This single scientific article is not the final word on such a complicated matter for sure, but its findings are consistent with a good portion of the larger body of literature on this subject. And when so many experts express concern with H.R. 4200, Members would be well advised to listen to their reservations and take time to reconsider the issue.

Mr. Speaker, I will insert at this point in the RECORD a letter to Congress signed by 169 experts in the areas of biology, ecology and forest management. This group of researchers includes UC Davis professors Dr. Robert Coats and Dr. Peter Moyle, as well as 13 other Californians.

MARCH 14, 2006.

DEAR MEMBERS OF CONGRESS: The United States has made great strides by relying on science to inform our decision making. Science helped us travel to the moon; advance medicine and health; and understand the complex web of life on land and in rivers, lakes, and oceans. Science has also opened our eyes to the workings of forests and provided blueprints for federal plans to better protect the abundant natural resources of our public lands.

When we, as scientists, see policies being developed that run counter to the lessons of science, we feel compelled to speak up. Proposed post-disturbance legislation (specifically the Forest Emergency Recovery and Research Act [H.R. 4200] and the related Forests for Future Generations Act [S. 2079]), crafted as a response to recent fires and other disturbances, is misguided because it distorts or ignores recent scientific advances. Under the labels of "recovery" and "restoration," these bills would speed logging and replanting after natural disturbances.

Although logging and replanting may seem like a reasonable way to clean up and restore forests after disturbances like wildland fires, such activity would actually slow the natural recovery of forests and of streams and creatures within them. Many scientist-reviewed studies and syntheses (please see the selected citations appended to this letter) have recently come to this conclusion. For example, no substantive evidence supports the idea that fire-adapted forests might be improved by logging after a fire. In fact, many carefully conducted studies have concluded just the opposite. Most plants and animals in these forests are adapted to periodic fires and other natural disturbances. They have a remarkable way of recovering—literally rising from the ashes—because they have evolved with and even depend upon fire.

We are concerned that H.R. 4200 and S. 2079 will bind us to land management practices that, perhaps logical in the past, are no longer tenable in the light of recent scientific understanding. Specifically, post-disturbance logging impedes regeneration of forest landscapes when it compacts soils, removes or destroys so-called biological legacies (such as soil organic material, seeds in the soil, large standing and downed trees), damages riparian corridors, introduces or spreads invasive species, causes erosion, delivers sediment to streams from logging roads and steep slopes, degrades water quality, and damages populations of many aquatic species. In testimony before the House Subcommittee on Resources (November 10, 2005), eminent forest ecologist and University of Washington Professor Jerry Franklin noted that logging dead trees often has greater negative impacts than logging of live trees. He concluded that "timber salvage is most appropriately viewed as a 'tax' on ecological recovery."

Beyond those concerns, post-disturbance logging often intensifies the potential severity of future fires by concentrating the slash from logging at or near the ground. Rather than leaving plant material standing—and providing perching, nesting, and feeding sites for wildlife—such logging abruptly moves the material to the ground. Most of this material would naturally fall to the ground, adding important supplies of nutrients and energy to the forest floor and structure in the form of woody debris to stream channels. But this naturally happens over decades, not in the relatively short time associated with a logging operation. Advocates of post-disturbance logging may argue that this slash can be disposed of with controlled burns and other treatments. Yet such treatments can severely damage underlying soils, imposing other taxes on natural recovery.

One additional tax concerns us. Postfire logging taxes the public treasury. Recent analysis of postfire logging operations after Oregon's Biscuit fire of 2002 shows that costs of the logging operations exceeded revenue by about \$14 million for logging that removed more than 53 million board feet of timber (DellaSala et al. 2006).

Science provides the best insight into the real consequences of our policies and actions. Ironically, this legislation is crafted to ignore the science by waiving environmental reviews, reviews that would make use of the scientific knowledge often available only because of expenditures of public funds. Failure to conduct full environmental reviews informed by that science will inevitably lead to ecological and economic harm from post-disturbance logging.

In short, neither ecological benefits nor economic efficiency result from post-disturbance logging. We therefore urge you to defeat these legislative efforts because they will set back forest recovery. We urge you to work with your fellow lawmakers to craft legislation that will rely on the most up-to-date scientific knowledge to protect the natural resources of the nation's public lands.

Sincerely,

Isabella A. Abbott, Ph.D., Wilder Professor Emerita, Botany University of Hawaii, Honolulu, HI.

Paul Alaback, Ph.D., Forest Ecologist, University of Montana, Missoula, MO.

James P. Amon, Ph.D., Professor, Wetland Biologist, Department of Biological Sciences, Wright State University, Dayton, OH.

Thomas H. Anderson, Ph.D., Professor, Geology, Department of Geology and Planetary Science, University of Pittsburgh, Pittsburgh, PA.

Robert Angus, Ph.D., Professor, Biology, University of Alabama at Birmingham, Birmingham, AL.

Julian D. Avery, Avian Ecologist, Eastern New Mexico University, Portales, NM.

William L. Baker, Ph.D., Department of Geography, University of Wyoming, Laramie, WY.

Mark Bamberger, Ph.D., Professor, Geology and Environmental Sciences, Miami University, The Union Institute & University, and Capital University Oxford, OH.

Linda Sue Barnes, Ph.D., Professor, Biology (specialty Botany), Methodist College, Fayetteville, NC.

Frank Barnwell, Ph.D., Professor, Ecology, Evolution, and Behavior, University of Minnesota, St. Paul, MN.

Carol J. Baskauf, Ph.D., Professor, Biology, Austin Peay State University, Clarksville, TN.

Craig W. Benkman, Ph.D., Professor, Zoology and Physiology, University of Wyoming, Laramie, WY.

David H. Benzing, Ph.D., Professor, Biology, Oberlin College, Oberlin, OH.

May R. Berenbaum, Ph.D., Swanlund Professor and Head Department of Entomology, University of Illinois, Urbana, IL.

Robert L. Beschta, Ph.D., Emeritus Professor, Forest Hydrology, Oregon State University, Corvallis, OR.

Alfred Beulig, Ph.D., Professor, Biology, New College of Florida, Sarasota, FL.

John G. Bishop, Ph.D., Associate Professor, Biology, Washington State University, Vancouver, WA.

Scott Hoffman Black, Ecologist/Entomologist, Executive Director, Portland, OR.

David E. Blockstein, Ph.D., Chair, The Ornithological Council, Washington, DC.

Jane H. Bock, Ph.D., Professor Emerita, Ecology and Evolutionary Biology, University of Colorado, Boulder, CO.

Reed Bowman, Ph.D., Associate Research Biologist, Head, Avian Ecology Lab,

Archbold Biological Station, Lake Placid, FL.

David Barton Bray, Ph.D., Department of Environmental Studies, Florida International University, Miami, FL.

Richard A. Bradley, Ph.D., Associate Professor, Evolution, Ecology and Organismal Biology, Ohio State University, Marion, OH.

William R. Bromer, Ph.D., Professor, Biology & Environmental Science, University of St. Francis, Joliet, IL.

Lincoln P. Brower, Ph.D., Distinguished Service Professor Emeritus, Zoology, University of Florida, Gainesville, FL.

David Brown, Ph.D., Assistant Professor, Biology & Environmental Science, Marietta College, Marietta, OH.

Joyce Marie Brown, EPA STAR Fellow, BGSA President, Ph.D., Student of Conservation Biology, University of Central Florida, Orlando, FL.

Kurt Brownell, Natural Resources Specialist, St. Paul District, U.S. Army Corps of Engineers, Mississippi River Natural Resource Project, La Crescent, MN.

Bernard H. Byrnes, Ph.D., Soil Science, Wild South, Moulton, AL.

Philip D. Cantino, Ph.D., Professor, Environmental and Plant Biology, Ohio University, Athens, OH.

Ken Carloni, Ph.D., Forest Ecologist, Umpqua Community College, Roseburg, OR.

Gary Carnefix, M.S., Research Associate, Pacific Rivers Council, Polson, MT.

C. Ronald Carroll, Ph.D., Professor, Institute of Ecology, Co-Director for Science, River Basin Center, University of Georgia, Athens, GA.

Bobb Carson, Ph.D., Professor- and Dean Emeritus, Dept. of Earth and Environmental Sciences, College of Arts and Sciences, Lehigh University, Bethlehem, PA.

Christopher Chabot, Ph.D., Professor, Biology, Plymouth State University, Plymouth, NH.

Robert Coats, Ph.D., Forest Hydrologist, University of California, Davis, Davis, CA.

Laura E. Conkey, Ph.D., Associate Professor, Geography, Dartmouth College, Hanover, NH.

Ian M. Cooke, Ph.D., Professor, Zoology, University of Hawaii, Honolulu, HI.

Joel Cracraft, Lamont Curator and Curator-in-Charge, Department of Ornithology, American Museum of Natural History, New York, NY.

David A. Culver, Ph.D., Professor, Evolution, Ecology, and Organismal Biology, Ohio State University, Columbus, OH.

D. Robert Deal, Ph.D., Professor, Plant Biology, Shawnee State University, Portsmouth, OH.

Dominick A. DellaSala, Ph.D., Forest Ecologist, World Wildlife Fund, Ashland, OR.

Thomas H. DeLuca, Ph.D., Professor, Forest Soils, University of Montana, Missoula, MT.

Saara J. DeWalt, Ph.D., Plant Ecologist, Assistant Professor, Biological Sciences, Clemson University, Clemson, SC.

Dana E. Dolsen, M.S., Forest Science, Holaday, UT.

R. Scot Duncan, Ph.D., Restoration Ecologist, Birmingham-Southern College, Birmingham, AL.

Peter W. Dunwiddie, Ph.D., Affiliate Professor, Biology, University of Washington, Seattle, WA.

Christopher W. Evans, M.A., College of Natural Sciences, Hawaii Pacific University, Kaneohe, HI.

Jonathan P. Evans, Ph.D., Director, Landscape Analysis Laboratory, Associate Professor, Biology, University of the South, Seawee, TN.

Thomas L. Fleischner, Ph.D., Professor, Environmental Studies, Prescott College, Prescott, AZ.

- Erica Fleishman, Ph.D., Senior Research Scientist, Department of Biological Sciences, Stanford University, Stanford, CA.
- George W. Folkerts, Ph.D., Wetland Biology, Aquatic Insects, Herpetology, Natural History, Professor, Biological Sciences, Auburn University, Auburn, AL.
- Brian Foster, Ph.D., CRES, Zoological Society of San Diego, El Cajon, CA.
- CJ Fotheringham, M.S., Fire Ecologist, Dept. of Ecology and Evolutionary Biology, University of California, Los Angeles, Los Angeles, CA.
- Lee E. Frelich, Ph.D., Forest Ecologist, University of Minnesota, St. Paul, MN.
- Terrence J. Frest, Ph.D., Malacologist, Seattle, WA.
- Chris Frissell, Ph.D., Senior Staff Scientist, The Pacific Rivers Council Polson, MT.
- Alder Fuller, Ph.D., Ecology/Evolution, Euglena Edu/ProtoTista, Eugene, OR.
- Thomas M. Gehring, Ph.D., Department of Biology, Central Michigan University, Mount Pleasant, MI.
- Donald Geiger, Ph.D., Department of Biology, University of Dayton, Dayton, OH.
- Enrique Gomezdelcampo, Ph.D., Hydrologist, Center for Environmental Programs, Bowling Green State University, Bowling Green, OH.
- Steven Green, Ph.D., Professor, Biology, University of Miami, Coral Gables, FL.
- Thurman L. Grove, Ph.D., Professor, Zoology, North Carolina State University, Raleigh, NC.
- John S. Gunn, Ph.D., Forest Ecologist, The Trust to Conserve Northeast Forestlands, Hebron, ME.
- Judy Haggard, Wildlife Biologist, Haggard Wildlife Consulting, Fieldbrook, CA.
- Richard W. Halsey, M.A., Director/Fire Ecology, California Chaparral Field Institute, Escondido, CA.
- Michael Hamilton, Ph.D., Director, James San Jacinto Mountains Reserve, University of California, Riverside, Idyllwild, CA.
- David Hastings, Ph.D., Associate Professor, Eckerd College, St. Petersburg, FL.
- Peggy S. M. Hill, Ph.D., Associate Professor, Biological Science, University of Tulsa, Tulsa, OK.
- Richard T. Holmes, Ph.D., Emeritus Harris Professor, Environmental Biology, Dartmouth College, Hanover, NH.
- Thomas R. Horton, Ph.D., Assistant Professor, Mycorrhizal Ecology, State University of New York, College of Environmental Science and Forestry, Syracuse, NY.
- Robert Huber, Ph.D., Associate Professor, Biological Sciences, Bowling Green State University, Bowling Green, OH.
- Jarvis E. Hudson, Ph.D., Assistant Professor, Biology, Fayetteville State University, Fayetteville, NC.
- Richard Hutto, Ph.D., Professor and Director, Avian Science Center, Division of Biological Sciences, University of Montana, Missoula, MT.
- David K. Imper, Ecologist, U.S. Fish and Wildlife Service, Arcata, CA.
- Timothy Ingalsbee, Ph.D., Fire Sociologist, University of Oregon, Eugene, OR.
- Haruhiko Itagaki, Ph.D., Professor, Biology, Kenyon College, Gambier, OH.
- David G. Jenkins, Ph.D., Associate Professor, Biology, University of Central Florida, Orlando, FL.
- Bart R. Johnson, Ph.D., Associate Professor, Landscape Architecture and Environmental Studies Program, University of Oregon, Eugene, OR.
- Kyle Joly, M.S., Ecology, Wildlife Biologist, Fairbanks, AK.
- James R. Karr, Ph.D., Professor, Aquatics Sciences and Biology, University of Washington, Seattle, WA.
- Sterling C. Keeley, Ph.D., Professor, Botany, University of Hawaii at Manoa, Honolulu, HI.
- Julie E. Korb, Ph.D., Department of Biology, Fort Lewis College, Durango, CO.
- Adrienne Kovach, Ph.D., Research Assistant Professor, Department of Natural Resources, University of New Hampshire, Durham, NH.
- Christa Kugler, Wild Animal Keeper, Bronx Zoo, Wildlife Conservation Society, New York, NY.
- Melinda Laituri, Ph.D., Geographer, Colorado State University, Fort Collins, CO.
- William Z. Lidicker, Jr., Ph.D., Professor Emeritus, Integrative Biology, University of California, Berkeley, Berkeley, CA.
- Dale R. Lockwood, Ph.D., Postdoctoral Fellow, Colorado State University, Fort Collins, CO.
- Frank T. Logiudice, M.S., Undergraduate Program Coordinator, Department of Biology, University of Central Florida, Orlando, FL.
- Marilyn D. Loveless, Ph.D., Population Ecologist, Professor, Biology, College of Wooster, Wooster, OH.
- Julie Maier, Ph.D., Assistant Professor, Science, University of Alaska, Fairbanks, AK.
- Glenn Matlack, Ph.D., Environmental and Plant Biology, Ohio University, Athens, OH.
- William W. Mautz, Ph.D., Professor, Natural Resources, University of New Hampshire, Durham, NH.
- Brian McCarthy, Ph.D., Forest Ecologist, Ohio University, Athens, OH.
- William H. McDowell, Ph.D., Professor, Water Resources Management, Director, NH Water Resources Research Center, University of New Hampshire, Durham, NH.
- Amy B. McEuen, Ph.D., Forest Ecologist, Assistant Professor, Biology University of Illinois, Springfield, IL.
- Michael J. Medler, Ph.D., Department of Environmental Studies, Huxley College, Western Washington University, Bellingham, WA.
- Rebecca P. Meegan, Wildlife Biologist, Coastal Plains Institute and Land Conservancy, Tallahassee, FL.
- Gary K. Meffe, Ph.D., Editor Conservation Biology, Dept. of Wildlife Ecology and Conservation, University of Florida, Gainesville, FL.
- Andrew G. Milroy, Natural Resources Manager, West Springfield, MA.
- Richard R. Montanucci, Ph.D., Systematic Herpetologist and Ecologist, Associate Professor, Biological Sciences, Clemson University, Clemson, SC.
- Peter B. Moyle, Ph.D., Professor, Fisheries Biology, Dept. of Wildlife, Fish, & Conservation Biology, University of California, Davis, CA.
- Rob Mrowka, M.S., Forest Ecology, Manager, Environmental Planning Division, Las Vegas, NV.
- Barry R. Noon, Ph.D., Dept. of Fish, Wildlife, & Conservation Biology, Colorado State University, Fort Collins, CO.
- Eliane Norman, Ph.D., Stetson University, DeLand, FL.
- Reed Noss, Ph.D., Professor, Conservation Biology, University of Central Florida, Orlando, FL.
- Mary O'Brien, Ph.D., Botanist/Ecologist, Grand Canyon Trust, Eugene, OR.
- Dennis C. Odion, Ph.D., Vegetation Ecologist, University of California, Santa Barbara, Santa Barbara, California and Southern Oregon University, Ashland, OR.
- John A. Osborne, Ph.D., Professor, Limnology Department of Biology, University of Central Florida, Orlando, FL.
- Michael S. Parker, Ph.D., Professor, Biology, Southern Oregon University, Ashland, OR.
- Arthur Dean Partridge, Ph.D., Professor Emeritus, Forest Disease and Insect Ecology, College of Forestry, Wildlife and Range Sciences, University of Idaho, Moscow, ID.
- Gustav Paulay, Ph.D., Associate Professor, Florida Museum of Natural History, University of Florida, Gainesville, FL.
- David Perry, Ph.D., Ecosystem Studies and Management, Oregon State University, Corvallis, OR.
- Crispin H. Pierce, Ph.D., Assistant Professor, Environmental Public Health Program, University of Wisconsin-Eau Claire, Eau Claire, WI.
- Jay Pitocchelli, Ph.D., Professor, Biology, Saint Anselm College, Manchester, NH.
- Mechthild Pohlshroder, Assistant Professor, Biology, University of Pennsylvania, Philadelphia, PA.
- Anne Pusey, Ph.D., Behavioral Ecologist, McKnight Distinguished University Professor, Ecology, Evolution, and Behavior, University of Minnesota, St. Paul, MN.
- Robert Michael Pyle, Ph.D., Lepidopterist/Author, Grays River, WA.
- G.S. Rahi, Ph.D., Assistant Professor, Natural Sciences, Fayetteville State University, Fayetteville, NC.
- Karl J. Reinhard, Ph.D., Professor, School of Natural Resources, Fulbright Scholar, University of Nebraska, Lincoln, NE.
- Ann F. Rhoads, Ph.D., Senior Botanist, Pennsylvania. Flora Project, Morris Arboretum of the University of Pennsylvania, Philadelphia, PA.
- Jon Rhodes, Hydrologist, Portland, OR.
- David I. Richard, Ph.D., Professor, Biology, Rollins College, Winter Park, FL.
- Axel C. Ringe, Senior Scientific Analyst, Information International Associates, Inc. Oak Ridge, TN.
- Oscar J. Rocha, Assistant Professor, Biological Sciences, Kent State University, Kent, OH.
- Carlton L. Rockett, Ph.D., Professor, Biological Sciences, Bowling Green State University, Bowling Green, OH.
- Thomas P. Rooney, Ph.D., Forest Ecologist, Department of Botany, University of Wisconsin, Madison, WI.
- Steve Rothenberger, Ph.D., Professor, Biology, University of Nebraska-Kearney, Kearney, NE.
- Betsie B. Rothermel, Ph.D., Assistant Research Scientist, University of Georgia, Aiken, SC.
- Leanne H. Roulson, M.S., Fisheries Biologist, Bozeman, MT.
- Barbara A. ("Bitty") Roy, Ph.D., Associate Professor, Ecology University of Oregon, Eugene, OR.
- Matthew Rubino, Conservation Biologist/GIS Analyst, SE-GAP/Biodiversity and Spatial Information Center, Department of Zoology, North Carolina State University, Raleigh, NC.
- James Runkle, Ph.D., Professor, Biological Sciences, Wright State University, Dayton, OH.
- Melissa Savage, Ph.D., Emerita Associate Professor, Geography, University of California, Los Angeles, Los Angeles, CA.
- Andrew Schnabel, Ph.D., Associate Professor, Evolution and Ecology, Indiana University South Bend, South Bend, IN.
- Tania Schoennagel, Ph.D., Fire Scientist, University of Colorado, Boulder, CO.
- Bronwyn Scott, M.S., Invasive Species Ecologist, Ph.D. student, University of Washington, Adjunct Life Science Faculty, Bellevue Community College, Bellevue, WA.
- Bonita Shanafelt, Support Scientist, Forest Service, PNW Research Station, Wenatchee, WA.
- Tony Silvaggio, Ph.D., Environmental Sociology, Department of Sociology, Humboldt State University, Arcata, CA.
- Diane E. Sklensky, Ph.D., Professor, Biological Sciences, Le Moyne College, Syracuse, NY.
- David L. Smith, Ph.D., Associate Professor and Chair, Department of Biological Sciences, Le Moyne College, Syracuse, NY.

Jennifer Smith, Ph.D., National Center for Ecological Analysis and Synthesis, University of California, Santa Barbara, Santa Barbara, CA.

Sherilyn G. F. Smith, Ph.D., Associate Professor, Biological Sciences, Le Moyne College, Syracuse, NY.

Erica Smithwick, Ph.D., Ecosystem Ecologist/Fire Scientist, University of Wisconsin, Madison, WI.

Eric B. Snyder, Ph.D., Stream Ecologist, Assistant Professor, Biology, Grand Valley State University, Allendale, MI.

Wayne D. Spencer, Ph.D., Senior Conservation Biologist, Conservation Biology Institute, San Diego, CA.

Timothy P. Spira, Ph.D., Plant Ecologist, Professor, Biological Sciences, Clemson University, Clemson, SC.

Stephen M. Spomer, Research Associate, Department of Entomology, University of Nebraska, Lincoln, NE.

James R. Spotila, Ph.D., Betz Chair Professor, Environmental Science, Department of Bioscience and Biotechnology, Drexel University, Philadelphia, PA.

Robert Stiles, Ph.D., Ichthyologist, Department of Biology, Samford University, Birmingham, AL.

James R. Strittholt, Ph.D., Executive Director, Landscape Ecologist, Conservation Biology Institute, Corvallis, OR.

Adam Switalski, M.S., Science Coordinator, Wildlands CPR, Missoula, MT.

Tamara Ticktin, Ph.D., Department of Botany, University of Hawaii at Manoa, Honolulu, HI.

Brian N. Tissot, Ph.D., Associate Professor, Environmental Science, Washington State University Vancouver, Vancouver, WA.

David W. Tonkyn, Ph.D., Associate Professor, Biological Sciences, Clemson University, Clemson, SC.

Stephen C. Trombulak, Ph.D., Professor, Biology and Environmental Studies, Middlebury College, Middlebury, VT.

Robin Tyser, Ph.D., Professor, Ecology, University of Wisconsin-La Crosse, La Crosse, WI.

Thomas T. Veblen, Ph.D., Professor, Geography University of Colorado, Boulder, CO.

Frank von Hippel, Ph.D., Associate Professor, Aquatic Ecology, University of Alaska Anchorage, Anchorage, AK.

Floyd Waddle, Ph.D., Associate Professor, Fayetteville State University, Fayetteville, NC.

Robert O. Wagner, Ph.D., Wildlife Ecologist, DeRidder, LA.

Don Waller, Ph.D., Forest Ecologist, Department of Botany, University of Wisconsin, Madison, WI.

B. Michael Walton, Ph.D., Director, Environmental Institute, Associate Professor, Biological, Geological, and Environmental Sciences, Cleveland State University, Cleveland, OH.

James H. Warner, Ph.D., Ecologist, Professor Emeritus, Biology, University of Wisconsin-La Crosse, La Crosse, WI.

Peter Warner, M.A., Ecology, Environmental Scientist, California Department of Parks & Recreation, Little River, CA.

Vicki Watson, Ph.D., Professor and Watershed Ecologist, University of Montana, Missoula, MT.

Tom Wessels, M.S., Professor, Ecology, Antioch New England Graduate School, Keene, NH.

Cindy Deacon Williams, Fisheries Biologist, Headwaters, Ashland, OR.

Jack E. Williams, Ph.D., Chief Scientist, Trout Unlimited, Medford, OR.

Mr. Speaker, I would like to read an excerpt from this letter because it illustrates the need for us to carefully consider what we are doing if we pass this bill.

"Although logging and replanting may seem like a reasonable way to clean up and restore forests, after disturbances like wildland fires, such activity would actually slow the natural recovery of forests and its streams and creatures within them. For example, no substantive evidence supports the idea that fire-adapted forests might be improved by logging after fire. In fact, many carefully conducted studies have concluded just the opposite."

Mr. Speaker, if Congress wants to give itself adequate time to investigate the evidence and debate this complex and important issue, it will put this bill aside. To do otherwise would ignore the voices of some forest management experts and scientists who contend that this bill will make our forests more vulnerable to fire.

At the same time, approving this bill would needlessly undermine the Federal laws put in place to balance the interests of industry with those of the environment.

Mr. Speaker, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield as much time as he may consume to the gentleman from Oregon (Mr. WALDEN), who is the chairman of the subcommittee, as well as the sponsor of the bill, and recognized as probably one of our experts on forest life and forest health in this Congress.

Mr. WALDEN of Oregon. Mr. Speaker, I appreciate the opportunity to speak on this legislation today. H.R. 4200 comes before you today after more than 2 years of work by Representatives BAIRD, HERSETH, GOODLATTE, GILCHREST, myself and many others.

Mr. Speaker, we have worked on more than 50 drafts of this legislation in an open and inclusive process, deliberately in an attempt to produce legislation that carefully reduces the obstacles to forest recovery following catastrophic events such as massive wildfires, blowdowns and ice storms.

Mr. Speaker, we moved the bill successfully through the House Resources Committee on a 25-13 bipartisan vote, and through the House Agriculture Committee by a 36-3 bipartisan vote, easily defeating all opposing amendments.

The Congressional Budget Office score, while showing an initial cost of \$5 million in the first year, shows the bill will reduce spending by the Federal Government by \$21 million from 2007 through 2011, and will generate hundreds of millions of dollars in net revenue for the land management agencies.

Mr. Speaker, this poster next to me here shows what happens on our Federal forests in terms of replanting costs and salvage value.

The longer you take to replant a forest, the more it costs. The longer you wait to salvage, if that is the plan, the less value you get out of it. This is pretty simple science, pretty simple and explanatory math that explains what we are trying to accomplish here.

Salvage sooner, plant sooner, restore the forest quicker.

We come to you today with 146 cosponsors; the support of hundreds of organizations and thousands of forest and conservation professionals; wildland firefighting organizations, the real ones, the ones that actually represent thousands and thousands of the people who put their lives on the line to extinguish the fires in our forest. Organizations representing labor have weighed in strongly in support of this legislation.

Mr. Speaker, I will insert into the RECORD at this point letters that I have received and others have in support of this legislation.

FEDERAL WILDLAND FIRE
SERVICE ASSOCIATION,
Inkom, ID.

Hon. GREG WALDEN,
*House of Representatives,
Washington, DC.*

DEAR CONGRESSMAN WALDEN: The FWFS is a nation-wide employee association comprised of federal wildland firefighters from the five land-management agencies. Our membership spans the breadth of fire positions from entry-level firefighters to Forest Fire & Aviation Chiefs.

We have been asked to review HR 4200, The Forest Emergency Recovery & Research Act and to provide our thoughts on this legislative proposal. We are cognizant of the frequent debate regarding forest policies and quite candidly often find ourselves in the middle of such debates. However in reviewing HR 4200, we are looking for the impact to our firefighter's health and welfare. We have reviewed documents in support of the measure as well as documents opposing it. With all due respect to those that oppose this legislation, we don't believe many of their positions or conclusions are plausible.

In looking at the legislation strictly from a wildland firefighter standpoint, this organization believes the Forest Emergency Recovery & Research Act is a common sense approach to addressing a number of complex issues. Therefore we are pleased to offer our support of this measure.

Should you have any questions, please feel free to contact me.

With warm regards,
CASEY JUDD,
Business Manager.

INTERNATIONAL ASSOCIATION,
OF FIRE CHIEFS
Fairfax, VA, May 16, 2006.

Hon. GREG WALDEN,
Chairman, Subcommittee on Forests and Forest Health, Committee on Resources, House of Representatives, Washington, DC.

DEAR CHAIRMAN WALDEN: On behalf of the nearly 13,000 chief fire and emergency officers members of the International Association of Fire Chiefs (IAFC), I would like to commend you for introducing H.R. 4200, the "Forest Emergency Recovery and Research Act."

America's fire service is tasked with responding to emergencies and disasters caused by all hazards, including wildland fires. As such, we understand the importance of healthy forest management activities, such as reducing fuel loads, to decreasing risk to communities and preventing future fires. This legislation will play an important role in these activities by allowing federal forest managers to remove dead and dying timber in a timely manner from areas affected by catastrophic events.

Please feel free to contact Ken LaSala, Director of Government Relations, at (703) 273-9815 x347, if we can be of assistance.

Sincerely,

CHIEF WILLIAM D. KILLEN,
President.

MAY 9, 2006.

Hon. J. DENNIS HASTERT,
Speaker of the House, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: We recently read about a group representing a very small handful of wildland firefighters, the Firefighters United for Safety, Ethics, and Ecology and their opposition to legislation critical to the future health of our national forests and rural communities. We represent the majority of the organizations and individuals who are the first responders in our national forests to catastrophic natural disasters like wildfires, tornadoes, hurricanes and ice storms. We strongly support and endorse the bipartisan Forest Emergency Recovery and Research Act (HR 4200) introduced by Representatives Greg Walden (R-OR), Brian Baird (D-WA) and Stephanie Herseth (D-SD) and cosponsored by 145 of their colleagues. Our employees are the firefighters, airplane and helicopter pilots, hazard tree fallers, and support personnel who put their lives on the line as they respond to disasters in our national forests. Natural catastrophes impact our nation's treasured forests on a regular basis. Wildfires, tornadoes, ice storms, bug infestations and windstorms are frequent occurrences which often leave our national forests dead and in need of recovery and restoration. HR 4200 would deliver the critical, science-based tools needed to repair these forests after disaster strikes them.

When dead and dying timber is left to rot in our national forests, excessive fuel loads build which result in hotter, faster burning, uncontrollable wildfires. The fuels and intense wildfires they produce not only impair the environmental health of our forests, watersheds and airsheds; they also pose significantly greater danger to our firefighters and the communities they try to protect. Current law simply doesn't allow the science-based, proven and quick treatment of our forests after a catastrophic act of nature damages them, but HR 4200 would provide the badly needed tools to our professional forest managers who would decide the best course of action after a disaster occurs. It is critical to the future of these forests, and to the communities affected by their health, that federal land managers are able to rapidly assess damage, determine environmentally sound action plans and get to work recovering damaged forests.

Another significant benefit of this legislation is that it encourages public participation, follows an overwhelmingly bipartisan and congressionally approved appeals and litigation process and requires collaboration with states, local governments, tribes, colleges and universities, and other interested parties.

When it comes to the health of our national forests as well as the health of our firefighters and other first responders, we have a responsibility to get to work restoring lands damaged by catastrophe. The Forest Emergency Recovery and Research Act would help do just that. We are united in our strong support of it and urge the House to pass it as soon as possible.

Sincerely,

Debbie Miley, Executive Secretary, National Wildfire Suppression Association.

Tom Eversole, Executive Director, American Helicopter Services & Aerial Firefighting Association.

Mike Wheelock, President, National Environmental Fuels Association.

Bruce Ferguson, President, Ferguson Management Company.

Don Pollard, President, GFP Inc.

Michael Fahey, President, Columbia Helicopters Inc.

BL Kafman President, Croman Corp.

John Bennett, President, Northwest Contract Firefighters Association.

Eric Helpenstell, Operations Manager, Pacific Wildfire International.

John Bennett, President, Enterprise Unlimited.

Rick Dice, President, PatRick Corp.

Rich Denker, Executive Director, Western Forest Fire Services Association.

Shari Downhill, President, N.W. Timber Fallers Inc.

Nelda Herman, President, Oregon Firefighting Contractors Association.

Don Moss, President, Strike Back.

Eric Helpenstell, President, Pacific Wildfire.

Paul Washburn, President, Washburn Contract Services Inc.

Mike Wheelock, President, Grayback Forestry.

Mark Gibson, General Manager, TL Forest Products.

Mr. Speaker, let me read from the Federal Wildland Fire Service Organization and what they said about H.R. 4200, the Forest Emergency Recovery and Research Act. They were asked to review the bill, and they did, and they provided their thoughts on this legislative proposal.

"We are cognizant of the frequent debate regarding forest policies, and quite candidly often find ourselves in the middle of such debates. However, in reviewing H.R. 4200, we are looking for the impact to our firefighters' health and welfare. We have reviewed documents in support of the measure, as well as documents opposing it."

□ 1100

With all due respect to those that oppose this legislation, we don't believe many of their positions or conclusions are plausible. In looking at the legislation strictly from a wildland firefighters standpoint, this organization believes the Forest Emergency Recovery and Research Act is a common-sense approach to addressing a number of complex issues. Therefore, we are pleased to offer our support of this measure.

This is from the Federal Wildland Fire Service Association, the real association that represents firefighters.

From the International Association of Fire Chiefs, they write: America's Fire Service is tasked with responding to emergencies and disasters caused by all hazards including wildland fires. As such, we understand the importance of healthy forest management activities such as reducing fuel loads to decreasing risk to communities and preventing future fires. This legislation will play an important role in these activities by allowing Federal forest managers to remove dead and dying timber in a timely manner from areas affected by catastrophic events.

The International Association of Fire Chiefs. I have a letter here signed by organizations representing 12,000 firefighting professionals and 300 compa-

nies that do the day-to-day tough work out in our forests to make them healthier, to put out the fires to save lives and save communities. They have reviewed this legislation; they understand it; their lives are on the line, and they support it. We have held nine hearings on this issue. We asked the Nation's leading scientists and foresters for their input. We asked the Government Accountability Office for their assistance. We traveled to forests from Oregon to Georgia, from Washington State to South Dakota. We consulted with tribal land managers and fish and wildlife organizations, and we learned much in this process.

First, we learned that the science of forest recovery is a mixed bag, so the legislation proposes the most significant increase in forest research put forward in a decade or more. We want to continually use science to improve our practices, to improve our practices. So we call for more research, we set up the way to do it, and we fund it in this legislation. We embrace scientific research and improve stewardship that comes from it.

Second, we learned that every non-Federal forest manager in the Nation, county, State, tribal, and private, has the ability to move more quickly after a fire or blowdown to remove the debris and restore the land. The forest practices used by these land managers have been developed and honed by trial and error over the centuries and have become environmentally and economically sound and successful. While these proven practices allow State and private land managers to act in a matter of weeks, the Federal process can take years.

Let me show you here an example from my State of Oregon in the Willamette National Forest. These are two different fire scenarios, but they tell the story of what happens. This is the Warner Creek fire in the Willamette National Forest. Thirteen years later, no restoration. This is the forest America gets. This is the stewardship current law allows. This is what happens today and why we want to change the law. This is what happens when you can get in and manage. So this too happens. It is just we have got a million acres backlog like this. We are not being responsible stewards when we could get forests such as that.

Third, while the science itself may offer competing views, there is broad agreement that if the decision is made in a forest to remove dead or dying trees and replant, quick action is best. So the conflicting science says do different things, manage differently, look at slopes, look at plant association types and all that. But if you are going to act, it makes more sense to act quicker rather than later.

Fourth, as Americans we look at our wood products. Seats in this House are made from wood and leather. Our homes, our furniture. We are developing biomass facilities to produce energy. And, if we can't get the wood

here in the United States, then we import it from abroad, where I daresay environmental laws are lax. So if you are going to use wood, doesn't it make sense to first use the burned dead wood, the burned dead trees rather than to cut down the green ones?

Fifth, we learned it is important to leave behind snags and other debris, even if you harvest some of the trees. The birds, wildlife, and insects need a home, too, and this legislation directly provides for this need.

We also heard from groups that plan-tation forests are not appropriate, and we agree. This legislation specifically and clearly speaks to this issue as well. In addition, the bill requires 100 percent compliance with existing forest plans, plans developed by the agencies locally, scientifically, with complete public input that comply with all environmental laws. We waive no environmental laws in this legislation. If an activity is not allowed in the forest, it would not be allowed as a result of this legislation.

Sixth, we learned from the GAO that on Federal forests of America, there is a million-acre backlog of untreated lands that need reforestation recovery work. The chief of the Forest Service testified that if he had the authority contained in this legislation, he would be able to generate the revenue needed to pay for forest recovery and restoration needs. He also testified that while he was able to use the authority in the Healthy Forest Restoration Act to aid in the recovery efforts after Hurricanes Katrina and Rita, the authorities in this measure would have aided their work even more.

In the months since the hurricanes struck the South, the Congress and the public have pummeled Federal agencies for failing to act quickly to clean up devastated areas. Yet it can take 3½ years for the Forest Service to finally get the permission from a Federal court to cut a burned dead tree in Oregon, and then most of the trees have lost their value.

The Eyerly fire from 2002 is a perfect example of what we face. This fire burned in 2002. It claimed thousands of acres; to be exact, 23,573 acres. Three years later, reforestation actions began, restoration actions began, and then only on 1,045 acres. And as of today, only 645 acres are treated. These are American forests. This is what happens after a catastrophic event. Can you imagine in the South if we said after a hurricane we are going to wait 3 years to do the cleanup? Nobody would tolerate that. And yet in the forests of America we allow it to occur and we ignore it. And that is wrong, and this legislation would change that.

People in my State of Oregon don't accept the notion that it should take 3 years to clean up after a catastrophic fire. They want green healthy forests restored. They understand that if the trees have value and it is appropriate to remove them and there is a public process that allows for that, including

appeal which our bill does, then move forward. Cut the trees while they have value, if that is what the plan allows for, and if you follow the environmental rules which our bill requires.

But remember, H.R. 4200 does not mandate a single tree be cut. It doesn't say that. Its expedited procedures can only be used if the agency can first demonstrate that there is an emergency and they need to act quickly. The public still has the right to appeal administratively and judicially. And even if this bill becomes law, there will still be more public involvement in the management of Federal lands than there is on State, county, or tribal lands. And it could still take the Federal agency four or five times as long to implement the recovery plans as these other entities.

And some will say, well, what about this definition of emergency? If you don't like the definition of the emergency in our bill, then you had better change the definition of an emergency under the Federal Emergency Management Act, because they are the same. It is the same concept. An emergency in Florida, an emergency in Mississippi or Louisiana, shouldn't be any different than an emergency in our Federal forests. We are the stewards of the future for those forests. Kids and grandkids expect us to go in and do the management that the plans that have been developed in the public process call for and that we should move forward.

I appreciate the rule under which this bill is coming to the floor that allows for that full and open debate and the consideration of competing amendments, because this is a debate America needs to have. It is a debate I am proud to have because this legislation is good for the future of our country and forests.

Ms. MATSUI. Mr. Speaker, I yield 4½ minutes to the gentlewoman from South Dakota (Ms. HERSETH).

Ms. HERSETH. I thank the gentlewoman for yielding.

Mr. Speaker, I rise in support today of the resolution in H.R. 4200, the Forest Emergency Recovery and Research Act. I have been working on this legislation for many months with Chairman WALDEN, with Representative BAIRD, Chairman GOODLATTE, and many others, and I have appreciated their leadership on this important issue.

I serve on both the House Resources and Agriculture Committees, and have been able to consider this legislation from both seats. H.R. 4200 has been through numerous congressional hearings, including field hearings, extensive discussions on language and provisions, two committee markups, and multiple adjustments along the way. The process has been open and responsive to many of the concerns raised by the bill's opponents.

When I first began discussing this bill with others, the conversations started with the recognition that our country's forest management system as it per-

tains to the aftermath of fires, hurricanes, and beetle infestations or other events is critically broken. Forest managers often have the knowledge but not the ability to respond, unlike their State, tribal, or county counterparts.

In the face of this paralysis we all recognize that, far from being over, another crisis sometimes begins after the fire is extinguished. The cost of inaction is high and has been felt in my home State of South Dakota.

In 1988, fire burned a portion of the Custer National Forest in northwestern South Dakota. The Forest Service was unable to remove any of the dead trees, and in 2002 the same area burned again. The second fire consumed most of the organic matter and new generation, inflicting even more harm.

Now, pictured to my right is the re-burned area. The white lines of ash that you see throughout this photo are what remain from the trees downed by the original 1988 fire. Swift action after the first fire could have prevented this bare landscape and could have helped the area to regenerate.

I support H.R. 4200 and the corresponding rule not only because of the past consequences of inaction, but in anticipation of what the next fire season may leave us with. Many of today's forests are subject to drought conditions, bug infestations, and in many cases an unhealthy and overgrown condition. This is certainly true in South Dakota. Fires in places like these pose an extra and unnatural risk, high-intensity fires that destroy precious sources and soils and in many instances damage any real chance at natural regeneration. The need for sensible and responsive management tools is clear.

To meet this need, H.R. 4200 brings two new and important ideas to the table: a fund dedicated to post-catastrophic events science research, and the creation of preapproved practices. Science is the essential. It should be the touchstone of our management decisions, and in the face of new scientific evidence we should adjust the way we manage our forests.

H.R. 4200 recognizes that need and creates a new program to analyze and better understand forest regeneration. In fact, the bill requires that 10 percent of the proceeds from any recovery project go toward the new research activity. This emphasis serves an important check on forest management decisions and will complement the bill's numerous requirements that all actions must be consistent with the underlying forest management plan.

The other innovative aspect of this legislation is the creation of preapproved practices. As we can see from this picture, delays do have consequences. Fortunately, this could have been averted with swift action, actions enabled, but, as Mr. WALDEN explained, not required by H.R. 4200. With the completion of preapproved

techniques and practices, we will have a library of approved actions to choose from, each tailored to meet unique forest recovery needs, and all of them ready for implementation. This process will make the most of the time we have before a catastrophe takes place. They will allow managers to consider the unique landscape and ecology of each forest. As they are drafted and approved, they will provide an important forum for public input and oversight. H.R. 4200 includes key provisions to ensure that forest management plans are followed. If they are followed, it preserves the public's role and in many instances goes even further. The bill language actually weighs in against plantation-like restoration projects and requires that new temporary roads built to achieve recovery projects be obliterated.

The bill has been strengthened by many changes that I mentioned throughout the Resources and Agriculture Committees hearings, and I think that my colleagues should support it as is. I encourage them to do so without the addition of any further amendments. I urge my colleagues to support H.R. 4200, to vote "yes" on the rule and on passage of the bill.

Mr. BISHOP of Utah. Mr. Speaker, I yield 4 minutes to the Chairman of the Agriculture Committee, the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Speaker, I rise today in strong support of the rule for H.R. 4200, the Forest Emergency Recovery and Research Act, or FERRA. This bill has 147 bipartisan cosponsors, including almost every Representative whose district includes substantial amounts of public forest land.

FERRA is designed to help our professional foresters respond to disasters such as fires, hurricanes, and ice storms more quickly, while providing a dedicated source of funding to conduct research on forest recovery.

In 2003, this House came together on a bipartisan basis and passed the Healthy Forest Restoration Act. That bill was designed to help our public land managers move quickly to help restore forest health across our national forests. But with millions of acres of our public forests at risk of catastrophic wildfires and still others subject to disasters such as Hurricane Katrina, it is obvious that some forests will sustain catastrophic damage. The question then becomes what to do about it.

□ 1115

Our public land managers have been faced with this question over and over again in recent years. It has become apparent that the framework of existing laws and regulations discourages them from acting quickly to restore forests and capture the value of damaged timber.

The Forest Service has encountered difficulties in my home State when insect outbreaks or ice storms have damaged our national forests. Between 1992

and 1994, the gypsy moth, a nonnative, invasive pest, defoliated over half a million acres of Virginia's national forest, killing trees on tens of thousands of acres. Unfortunately, the Forest Service conducted salvage sales on a mere 2,700 acres, a very small percent of the total.

Furthermore, the response to the ice and windstorms that hit our forests proceeds at a snail's pace, and it can take the NEPA from 6 months to several years to move forward with a salvage and recovery project. Even as the agency has attempted to use administrative rules to move more quickly, radical environmental groups who oppose all timber harvest on our public lands have sued to force even small projects through cumbersome appeals processes.

H.R. 4200 would help provide some assurance that restoration projects would at least be considered in a timely fashion.

I have worked closely with the bill's bipartisan lead sponsors, my friends and colleagues, the gentleman from Oregon (Mr. WALDEN), the gentleman from Washington (Mr. BAIRD) and the gentlewoman from South Dakota (Ms. HERSETH) on this bill. The final version before you today reflects months of work and countless revisions to ensure that the bill protects the environment while ensuring that forest recovery can take place while damaged trees still have value.

That is why there is broad support for H.R. 4200 within the private sector where it has been endorsed by more than 50 organizations, including professional resource managers and sportsmen's groups.

My belief is that H.R. 4200 provides a balanced approach to forest recovery while sending Federal land managers a clear signal that forest recovery should be a priority. Delays result in wasted timber resources, degraded environmental conditions, and increased costs for taxpayers. Projects which could have paid for themselves, provided valuable timber to local industry, and help put our forests on the road to recovery wind up delayed to the point where the timber is valueless. Adjacent private landowners meanwhile absorb the risk as national forests become the source of future insect epidemics and wildfires.

H.R. 4200 also focuses on improving the science behind forest recovery, and it does not waive a single environmental law. It requires consideration and, if appropriate, implementation of expedited environmental review to ensure that projects are documented and implemented in a timely fashion.

As Forest Service Chief Dale Bosworth told the Committee on Agriculture, "H.R. 4200 would provide direction for rapid response to catastrophic events and allow managers and partners to spend less time planning and more time doing."

Recovering forests quickly after a disaster is common sense. Our bill en-

sures that the Forest Service will take these commonsense measures and back them up with sound science.

I urge my colleagues to support this rule and the accompanying legislation.

Ms. MATSUI. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. BOREN).

Mr. BOREN. Mr. Speaker, I thank the gentlewoman for yielding.

The Ouachita National Forest, part of which is in my district, covers 1.8 million acres in central Arkansas and southeastern Oklahoma. It is about 70 degrees right now in Oklahoma, but in December of 2000, it was not so pleasant, as you can see by the photo.

A major ice storm hit approximately 340,000 acres in the Ouachita Mountains, closing State highways and county roads. In recovering from the storm, the Forest Service obtained the approval of alternative arrangements under the National Environmental Policy Act. Alternative arrangements must be approved by the White House and have only been used a handful of times to allow a quick response to catastrophic events such as the Ouachita ice storm. These arrangements allowed action on roughly 66,000 acres to reduce fuels and the risk of wildfire in the areas posing the greatest threat to public safety and private property.

The area within the alternative arrangements zone included 1,862 homes and 23 churches in my district. About 100 million boardfeet of timber was harvested; less than a third of that was damaged.

Alternative arrangements worked, at least for the acreage that was treated, but the White House simply does not have the time or the staff needed to respond to every catastrophic event. H.R. 4200, the Forest Emergency Recovery and Research Act, does this.

Ice storms and other devastating events will continue to happen. We need to make streamlined recovery available to public land managers.

The Forest Emergency Recovery and Research Act would help to make certain the next ice storm in the Ouachita National Forest and other parts of the country are responsibly restored.

Mr. Speaker, I ask my colleagues to support the rule and overall bill.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Speaker, I thank the gentleman for yielding.

I rise in support of the rule and the underlying bill. The Forest Emergency Recovery and Research Act is a great piece of legislation. Not only is it going to be good for our forests and for our environment, it saves the taxpayers money as well.

This will reduce spending by about \$21 million from 2007 to 2011 and \$23 million from 2007 through 2016. In addition, the CBO has stated that over \$122 million in additional receipts will be generated by the agencies. This is money that will then be available for restoration, reforestation and additional research.

As a result of catastrophic events and natural disasters, there are over 1 million acres of public land in need of reforestation. My home State of Arizona had a devastating fire a couple of years ago, burning over 400,000 acres. Much of that acreage is in Arizona.

I happened to drive over the weekend to my hometown of Snowflake and to see the forest that was devastated by that fire or those fires that is still yet to recover at all because we have not had people go in and actually manage the forests as it ought to be managed.

This legislation will help cut through that red tape. It will save agency money. It will save the taxpayers money, and with \$21 million in savings over 5 years, the opportunity to restore thousands more acres, this is the answer to what we have been looking for.

I urge my colleagues to support the rule and the underlying bill.

Ms. MATSUI. Mr. Speaker, I yield 4 minutes to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, I thank the gentlewoman and my dear friend Congressman WALDEN and colleagues on both sides of the aisle for their work on this.

I come to this bill as someone who has a long and proud history of concern for the environment. I would compare my environmental record to anyone in this body.

I also represent a district that is one of the 10 most heavily forested districts in the United States of America. In parts of my district, certain counties, the unemployment rate is still in double digits. Small timber communities have been devastated over the past years by cutbacks in timber harvest and other impacts.

This bill is a commonsense bill. We use wood. Wood has to come from somewhere. The choice before us is, shall we get it from dead trees or from live trees? Shall we get it from domestic forests where we have environmental and labor standards, or shall we get it from rainforests or the Russian Taiga where there are virtually no environmental standards?

It is good for the environment, I believe, to harvest dead trees in a way that reduces erosion, that expedites reforestation with diverse natural species.

My dear friend from California mentioned earlier, and I recognize there are questions about this on both sides, but my dear friend suggested that we might want to wait. As you heard from Mr. WALDEN, we have had a number of hearings on this. More impressively still, the 15,000-member-strong Society of American Foresters has endorsed this bill.

The fact is we do not lack evidence that this can be done. We have abundant evidence that it can be done responsibly. Hundreds of thousands of acres of land across this country have been harvested and reforested and is vibrant today.

We also have evidence from natural events. I happen to represent Mount

St. Helens. The picture beside me shows an area of industrial forestland harvested post-St. Helens eruption, reforested by the Weyerhaeuser Company. Adjacent to it is the national monument. You can see clearly trees have grown more rapidly in the area that was harvested and reforested.

Our bill specifically says that in a national forest you not replant in a plantation style, but there can be no doubt that evidence is clear that you can have more rapid regeneration following harvests and replanting than in an area that is left undisturbed.

Our bill, I should emphasize, protects national monuments and wilderness areas. No impact from this bill on those areas.

The bill has also been endorsed by labor unions, the Association of Western Pulp and Paperworkers, the carpenters and others. Furthermore, it has the support of professional firefighters. The people whose lives depend on the situation in the woods have recognized that this bill has merit.

Now, some have said, well, if you replant in the wrong way, you can increase fire risk. We agree, but our bill calls for you to replant in a right way that does not increase fire risk. The natural requirements of forest plans require the removal of downed timber, thereby further reducing the fire risk.

When this bill came before the Rules Committee yesterday, my colleague Congressman WALDEN, Ms. HERSETH and I and others encouraged that these four amendments be allowed. We disagree with them. We think they are counterproductive, but we think it is important to have an open debate.

I am very proud of this legislation. If people would get past the rhetoric and ask themselves this simple question, if we are going to use wood, does it make sense to get it from dead trees or live trees; and if we can harvest it responsibly, gain economic benefit from doing so, if we do so correctly, benefit the environment as well by reducing erosion and restoring habitat more rapidly, should we not do so?

Existing law prohibits us from doing that. That is why we are moving to change the law. We believe we can improve on existing law. We believe there is evidence where existing law has actually harmed the environment, has been economically counterproductive, and we believe this commonsense legislation improves upon that.

So I urge passage of this rule, and I urge passage of this legislation when it comes to the floor, and I urge rejection of the four amendments. Though I am glad they were ruled in order, we should vote them down.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield 2½ minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I stand today in strong support of H.R. 4200, the Forest Emergency Research and Recovery Act. I tell you, is it not good to see common sense coming out on both sides and good things prevail?

Well, excessive red tape prevents the Forest Service from being the best possible stewards of our public lands. While we have heard from many that there is no need to move quickly after a catastrophic event, here is an outline of the situation we face in the Gulf States. I think you will see we do need to move quickly, and inaction is not acceptable.

The Gulf States are booming with newcomers, and many are moving in and living near the national forests. Hurricanes have hit and will hit, and when they do, they knock down trees, just as they did last fall. Shortly after the hurricane season ends, fire season begins.

Forest managers need to remove the dead trees after a hurricane to reduce the chances for catastrophic fires, and because the wood rots quickly in this region, management actions need to occur within months, not years, as is often the case. H.R. 4200 will allow for expedited cleanup of excess wood debris that are actually fuels.

If a fire does occur, it is also important to move quickly to remove dead trees to reduce the potential for insect epidemics, which have happened and do happen. H.R. 4200 will allow for the expedited removal of burned, dead trees.

In addition, because of the rapid growth of brush and competing vegetation after a catastrophic event, the planting of seedlings needs to happen quickly for it to be successful.

Right here in my district in east Texas, we have one of the best forestry schools in the entire world, and that is at Stephen F. Austin University. James Hull, the State forester to the State of Texas said on Monday in an editorial in the Houston Chronicle, "Red tape forces Federal agencies to wait as long as 2 years before properly managing damaged forests afflicted by wildfires and hurricanes. With every passing day, there are increased risks. We must adjust current regulations in ways to promote healthy habitat, increased water and air quality and growth of new trees."

Not to mention that we have a couple of industries that are willing to use the debris in order to generate energy to make that go so that we can free up electricity and natural gas and oil.

I agree with the Texas State forester. I do urge my colleagues, this is the right thing to do. It is good for all of us. It is good for America, and it is good for the forests.

□ 1130

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, here we go again. First, we had the clean skies bill, that got more pollution; then we had the deficit reduction bill, and we had more deficit; now we have the forest recovery bill, which assures that we

will be using less science and less common sense by the American people to make decisions of where and how to do forest recovery plans.

This has largely been a red-herring debate to date. This is not a question whether we are going to have forest recovery plans and places to replant and places to harvest deadwood. What it is a debate about is where we do these recovery plans and how we do these recovery plans. This bill, as currently structured, guarantees two things: We will at times do them in the wrong place and we will at times do them in the wrong way.

It does that by a repeated continuation of the terrible habit this Congress has gotten into, which is to repeal our environmental protection laws. And that is why every single environmental group dedicated to the preservation of our forests is very strongly opposed to this bill.

Now, how is it going to be the wrong place and the wrong way? First, it will assure these are sometimes done in the wrong way by gutting the insistence that we use science. Right now, existing rules require bureaucracies to use science when they make decisions; to not go by some cookie-cutter approach that some bureaucrat in Washington sets out and says you can do this, that, and the other all across the Rocky Mountains, without ever stepping foot in the area where they are going to do this harvesting and replanting. Existing law requires that.

This law, through a quite clever shell game, guts that requirement that Americans will use science when these decisions are made. What it does is it essentially says that NEPA requirements, the National Environmental Protection Act requirements, to use science when we make these decisions where to cut, which trees to cut, and how to replant. And it does that on page 24, in a very clever way.

It doesn't say we gut NEPA. It doesn't say we repeal the National Environmental Protection Act. What it says, and I quote, "Satisfaction of NEPA requirements. The following activities are deemed to satisfy the requirements of section 102 of the National Environmental Policy Act." What they say is, what you do here just wipes away the requirements of NEPA because we deem it complied with.

We care about our forests in Washington State. The Kettle roadless area in eastern Washington, the Eagle Cap roadless area in western Washington. We want to insist that our Federal agencies use science. This bill removes one of the fundamental pillars of making these decisions. It removes science. So it does something to make sure that we do something the wrong way.

But it also does something in the wrong place, and I will get to that when my amendment comes to preserve the roadless areas of our forests.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California (Mr. HERGER).

Mr. HERGER. Mr. Speaker, here is a real-world example of why this legislation is so crucially important. In 1995, a storm leveled 30,000 acres of forestland in the northern California district I represent. This blowdown increased the fuel load in the forest by as much as 500 percent. Immediate action was needed to protect the landscape and, thereby, communities from catastrophic fire.

Forest Service experts said it is not a matter of if a fire will occur, but how extensive the damage will be unless restoration proceeds immediately. But timely restoration work was mired in paperwork, appeals, and frivolous litigation. Four years later, the Megram fire swept through the area, fueled by the timber that was left to die on the forest floor. Thousands of acres that could have been protected were destroyed and will take a lifetime to recover.

These two photos demonstrate the consequences of delay and inaction. This first photo, taken in 2004, shows the results of prompt reforestation efforts following the volcano fire of 1960. In 1960, Federal managers were able to act quickly and reforestation was successful. Today, foresters cannot act quickly because of red tape, and destroyed landscapes that you see on the left is the result. This other photo, taken in the Tahoe National Forest, shows just how deadly catastrophic fire can be to the forests and surrounding environments.

Mr. Speaker, delay is a recipe for disaster. Swift action is needed to protect our forests and communities from future tragedies like that which occurred in my district. I urge support for the rule and H.R. 4200.

Ms. MATSUI. Mr. Speaker, I yield 5 minutes to the gentleman from New Mexico (Mr. UDALL).

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, we are here talking today about salvage logging. And let us first of all be clear that salvage logging is taking place on our public lands. And if you want a lot more salvage logging, this is the bill to be for. The CBO says 40 percent more salvage logging.

Now, why is that a concern? Salvage logging has been found to impede forest regeneration. Now, that doesn't take a scientist to figure that out. When you have bulldozers and skidders and you are dragging trees that have been burned and you are dragging them through the forest, you are hurting the ability of that forest to regenerate. Seedlings that are on the ground are being destroyed. So salvage logging hurts the ability of the forest to regrow itself.

It damages riparian areas. It damages riparian areas. So we are talking here about streams, where if you cut the forests and take these logs out that you will not then have the ability to then allow these streams to produce

clean water. They silt up after this kind of salvage logging that occurs.

Salvage logging also introduces and spreads invasive species, it causes erosion, and it degrades water quality. This is what our forests are all about. Our forests, we use them as watersheds. They supply us clean water. What this bill is all about is degrading those watersheds. That is what is going on here today, and they do not want to talk about it.

They come and say, oh, no laws, no laws will be waived. Well, folks, let me tell you, this legislation exempts and waives the National Environmental Policy Act, one of the best planning laws that has been on the books for 30 years; the Endangered Species Act, which has been on the books for 30 years; the National Historic Preservation Act and the Clean Water Act. These are laws that say look before you leap. Let us let the public be involved, let us study what we are doing before we jump into these situations. Significant laws are being waived, and don't believe what they are telling you on the other side.

Now, we have in place adequate laws and regulations to handle emergency situations. This bill actually has the word "emergency" in it, implying that there is some emergency. We had a big emergency in this country, folks. It was Katrina, and it created one of the biggest salvage situations. And guess what? Down in Louisiana and Mississippi, they are moving forward. They are doing the salvage. They do not need a new law. They have done it. And if there is a real emergency, the agencies can go to the Council on Environmental Quality and get a waiver. This has never been turned down by the Council on Environmental Quality.

So what are we talking about here? We are talking about science. The majority of peer-reviewed science says that salvage logging is not good for our forests. And what do these scientists say? It increases the forest-fire risk and it decreases forest regeneration.

I offered an amendment in the committee, and this amendment will be on the floor today. That amendment says, well, if we are going to go by the science, which you hear talk of science on the other side, then the Secretary has to certify on every project. The Secretary will certify the project would not increase the forest-fire risk or decrease forest regeneration, hurt the seedlings. And the chairman and all of the others here are going to vote that amendment down. So I think that tells you what is really going on.

We are not supporting what science says we should be doing with our forests. The claims are made that we are under regular order. As the chairman knows, this is one of the most outrageous situations to date. A major bill is before our Committee on Resources, the fisheries bill, and here we get 20 minutes for the major committee on the floor and we are over, running back and forth to a markup in the committee, and having this debate on the

floor. This is not the regular order. This is an outrage, what is going on here, and I would hope that the chairman would object to this.

Mr. BISHOP of Utah. Mr. Speaker, I yield 15 seconds to the gentleman from Oregon (Mr. WALDEN) for a factual clarification.

Mr. WALDEN of Oregon. Mr. Speaker, I want to clarify that the gentleman was in error when he quoted the Congressional Budget Office. This increase would not increase salvage logging by 40 percent. It increases the receipts from the logging that would take place that would be following the forest management plans, because the timber wouldn't deteriorate.

That is the whole point here. We will get more money out if they make a decision to cut. It doesn't mean you are going to cut more trees. So I just wanted to put that on the record, and I submit the CBO cost estimate for the RECORD:

H.R. 4200—Forest Emergency Recovery and Research Act

Summary: H.R. 4200 would establish new procedures for responding to catastrophic events causing damage to certain federal land. The legislation would direct the Secretaries of Agriculture and the Interior to establish research protocols for assessing methods of restoring federal land following such events and would specify expedited procedures for implementing projects to rehabilitate that land, which could include timber harvests.

CBO expects that enacting H.R. 4200 would increase direct spending by \$5 million in 2007, but would reduce it by \$21 million over the 2007–2011 period and by \$23 million over the 2007–2016 period. Enacting the bill would not affect revenues.

H.R. 4200 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments. Federal assistance authorized by this bill would benefit state, local, and tribal governments.

Estimated Cost to the Federal Government: For this estimate, CBO assumes that H.R. 4200 will be enacted near the start of fiscal year 2007. The estimated budgetary impact of H.R. 4200 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment) and 800 (general government).

		By fiscal year, in millions of dollars—									
		2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
CHANGES IN DIRECT SPENDING											
Research Protocols and Pre-Approved Management Practices:											
Estimated Budget Authority		0	0	0	0	0	0	0	0	0	0
Estimated Outlays		5	–1	–2	–2	0	0	0	0	0	0
Receipts from Timber Salvage Sales:											
Estimated Budget Authority		0	–4	–9	–15	–15	–15	–16	–16	–16	–16
Estimated Outlays		0	–4	–9	–15	–15	–15	–16	–16	–16	–16
Spending of Receipts from Timber Salvage Sales:											
Estimated Budget Authority		0	3	7	11	11	11	12	12	12	12
Estimated Outlays		0	0	2	5	8	10	11	12	12	12
Payments to States:											
Estimated Budget Authority		0	1	2	4	4	4	4	4	4	4
Estimated Outlays		0	0	1	2	4	4	4	4	4	4
Total:											
Estimated Budget Authority		0	0	0	0	0	0	0	0	0	0
Estimated Outlays		5	–5	–8	–10	–3	–1	–1	0	0	0

Note.—* = less than \$500,000.

Basis of Estimate: H.R. 4200 would establish new procedures to expedite projects to stabilize and rehabilitate federal land following catastrophic events such as fires, floods, explosions, and other disasters that cause significant damage. Such projects might include removing damaged, diseased, or insect-infested forest vegetation to improve the health of such land. Under the bill, the Secretaries of Agriculture and the Interior would have discretion over when to use those expedited procedures to accelerate the implementation of certain projects which, in some cases, could include the sale of salvageable timber that has been damaged by qualifying catastrophic events.

CBO estimates that enacting H.R. 4200 would increase direct spending by \$5 million in 2007, but would reduce it by \$21 million over the 2007–2011 period and by \$23 million over the 2007–2016 period. The 2007 cost includes developing research protocols and lists of preapproved management practices that would form the basis for using new expediting procedures specified in the bill. Over the 2008–2016 period, CBO estimates that those expedited procedures would result in a net increase in offsetting receipts (a credit against direct spending) from the sale of salvageable timber and that those increased receipts would be partially offset by increased direct spending for related activities. We also expect that increasing receipts from such sales would increase direct spending for payments to states in which those receipts are generated.

RESEARCH PROTOCOLS AND PRE-APPROVED MANAGEMENT PRACTICES

The bill would direct the two Secretaries to develop research protocols to determine the effectiveness of land management practices following catastrophic events. To complete that task, the Secretaries could enter into cooperative agreements with land-grant colleges and universities. The bill also would direct the Secretaries to prepare lists of preapproved management practices that could

be implemented immediately after a catastrophic event.

Based on information from the Forest Service and the Department of the Interior (DOI), CBO estimates that developing the required protocols and lists would cost \$5 million in 2007. Although H.R. 4200 would not provide new funding for those activities, the legislation would allow the Secretaries to use existing balances from a variety of permanently appropriated funds to complete the proposed tasks. Under current law, we expect those funds would be spent over several years starting in 2008. Thus, relative to current law, we expect that enacting H.R. 4200 would increase direct spending by \$5 million in 2007, but that increase would be fully offset by forgone spending over the 2008–2010 period.

RECEIPTS FROM TIMBER SALVAGE SALES

CBO estimates that allowing the Secretaries to use expedited procedures to implement land management practices following qualified catastrophic events would increase offsetting receipts from the sale of salvageable timber. CBO expects the proposed procedures would allow the agencies to hold such sales at least several months and possibly years sooner than under current law. According to the Forest Service and DOI, holding those sales before the damaged timber begins to substantially deteriorate would increase the value and volume of salvageable timber, thereby increasing the amount that timber harvesters would be willing to pay for it.

Under current law, CBO estimates that receipts from salvage sales following catastrophic events average between \$35 million and \$40 million annually. Based on information from the Forest Service about rates of deterioration and other key factors, CBO estimates that accelerating salvage sales under H.R. 4200 would increase proceeds from those sales, on average, by about 40 percent. Assuming the agencies would phase in the use of the new procedures over several years, we estimate that increases in receipts would

begin in 2008 and total \$122 million over the 2008–2016 period.

SPENDING OF RECEIPTS FROM TIMBER SALVAGE SALES

Under H.R. 4200, increased receipts could be spent to update research protocols required under the bill, prepare and implement projects following catastrophic events, and monitor the effectiveness of such projects. Based on historical spending patterns for such activities, we expect that there would be a lag between when receipts are collected and subsequently spent. We estimate that spending of increased salvage receipts would total \$72 million over the 2008–2016 period.

INCREASED PAYMENTS TO STATES

Under current law, states receive payments based on the level of receipts generated from federal timber sales that occur within their boundaries. Starting in fiscal year 2008, states will receive payments equal to 25 percent of receipts generated in the previous year. For this estimate, we assume that receipt-sharing formula would apply to the increased proceeds from the sale of salvageable timber under H.R. 4200.

Because the Forest Service and DOI have authority to spend 100 percent of receipts from timber salvage sales for restoration activities, the source of funding for payments to states is unclear. For this estimate, however, CBO assumes that the two agencies would control spending on restoration activities and use some of the new receipts generated under H.R. 4200 to make those payments, which we estimate would cost \$27 million over the 2009–2016 period.

Intergovernmental and Private-Sector Impact: H.R. 4200 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments. Federal assistance authorized by this bill would benefit state, local, and tribal governments.

Estimate Prepared By: Federal Costs: Megan Carroll. Impact on State, Local, and

Tribal Governments: Marjorie Miller. Impact on the Private Sector: Craig Cammarata.

Estimate Approved By: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

Ms. MATSUI. Mr. Speaker, I am prepared to close, and I yield myself such time as I may consume.

As I noted at the beginning of the debate, 169 scientists, all experts in the field, oppose this bill because its policies will impede the national forest recovery process. The preponderance of scientific literature supports this assumption in their opinion. The letter concludes with the following: "Science provides the best insight into the real consequences of our policies and actions."

I could not agree more. There seems to be a disconnect between the policy recommended in this bill and the consensus among the scientific community. For that reason, I cannot support the underlying legislation, and I urge my colleagues to do the same.

Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to close what I consider to be about 50 minutes of bipartisan support for this particular rule and the underlying bill.

This bill, indeed, would give us the rehabilitation tools to combine science and research, preapproved action, and protection of our firefighters, which is why the professionals who know and work and run our forests are all in support of this particular bill and this action. And knowing our goal is to get green and not black forests, and healthy trees not dead stumps, I urge all my colleagues to support this rule and the underlying bill.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1145

GENERAL LEAVE

Mr. WALDEN of Oregon. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill, H.R. 4200.

The SPEAKER pro tempore (Mr. BISHOP of Utah). Is there objection to the request of the gentleman from Oregon?

There was no objection.

FOREST EMERGENCY RECOVERY AND RESEARCH ACT

The SPEAKER pro tempore. Pursuant to House Resolution 816 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4200.

□ 1145

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4200) to improve the ability of the Secretary of Agriculture and the Secretary of the Interior to promptly implement recovery treatments in response to catastrophic events affecting Federal lands under their jurisdiction, including the removal of dead and damaged trees and the implementation of reforestation treatments, to support the recovery of non-Federal lands damaged by catastrophic events, to revitalize Forest Service experimental forests, and for other purposes, with Mr. FOLEY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

General debate shall not exceed 1 hour, with 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Resources, 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure.

The gentleman from Oregon (Mr. WALDEN), the gentleman from New Mexico (Mr. UDALL), the gentleman from Virginia (Mr. GOODLATTE), the gentleman from Minnesota (Mr. PETERSON), the gentleman from Alaska (Mr. YOUNG) and the gentleman from Washington (Mr. BAIRD) each will control 10 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. WALDEN of Oregon. Mr. Chairman, I yield myself such time as I may consume.

I am delighted today to bring H.R. 4200 to the House for its consideration. I have spoken on it during the debate on the rule. This legislation is extraordinarily important for America to become a better steward of her forests.

Our Committee on the Forest and Forest Health has traveled the Nation's forests. We have listened to the experts from the scientific community. We have listened to the experts in the fire-fighting community. We have held field hearings where we have heard from tribal leaders who manage forestlands and move quickly after catastrophic events. We have met with State foresters who, in many cases, are in after a major forest fire or blowdown in a matter of days, if not weeks, doing what we propose to allow your Federal Land Management Agencies to do. You see, every other manager of Federal forest does what we are trying to put in place here.

We do require that environmental laws be followed. We do provide for administrative appeal and litigation. What we require is that the underlying

forest plans be followed. And if those forest plans say you can't harvest here and you have to do this sort of retention there for snags and habitat, then you have to do that. We don't change any of that. We require a site-specific evaluation, so it isn't a one-size-fits-all plan. We don't do that from here. We just say, whatever your plan called for, whatever the scientists on the ground say needs to be done, let us give our Federal land managers the authority to move quicker than they can move today if an emergency exists.

It is precisely what we expect out of our Federal Emergency Management Agency and, yes, demand: quick action after a hurricane in southern States, let us say, to clean up, to restore, to prevent erosion, to fix roads, to do the things that Americans expect and actually think are being done.

We want to protect our watersheds, and this legislation will help us do that.

The timber that comes out, if that is what the decision is, will have value. Today, when it takes 2 to 3 years to harvest a burned, dead tree that bugs have been in, that rot has occurred and nobody bids on it, it has no value, or very little by then. What the Congressional Budget Office found, unlike what my colleague from New Mexico said is, what they found is by passing this legislation, we would actually act quicker and the trees wouldn't have deteriorated, and the receipts to the Federal Government would be up 40 percent, not that we would harvest that many more trees necessarily. But you do it while they still have value. And that makes sense to the taxpayers and the forests.

Mr. Chairman, at this time I yield 3½ minutes to the gentleman from Minnesota, the chairman of the Forest Committee and the Agriculture Committee, Mr. GUTKNECHT.

Mr. GUTKNECHT. Mr. Chairman, I rise in support of H.R. 4200, the Forest Emergency Recovery and Research Act. We have heard so far this morning some people say that this bill is about somehow suspending the laws of science. But I would argue this bill is really about restoring some common sense, and we have heard some excellent testimony by Members of both sides of the aisle.

In Minnesota we have the Superior National Forest. It covers about 3 million acres in northeastern Minnesota. It is not in my district, but I have had the opportunity, as chairman of the Forestry Subcommittee of the Agriculture Committee, to go up there on several occasions. Now, the forest itself is beautiful. It is perhaps one of the most beautiful national forests in the entire galaxy. But you don't have to visit there very long to understand the sense of frustration among the locals in the way that we manage that forest.

In a State that is dominated by public timberland, the national forests in Minnesota have a reputation of being

too bureaucratic, slow moving, and unresponsive. When there is a catastrophic event, county and State foresters, and certainly private land owners, are far quicker to move to salvage and reforest than the National Forest Service is. H.R. 4200 is a step in the right direction. It would require the National Forest Service to rapidly evaluate the need for recovery projects and then allow the salvage to go forward if necessary.

Many of my colleagues today will give examples of catastrophic events in their districts or States, how the National Forest Service responds to them, and, therefore, why this legislation is needed.

For me, the example of a windstorm that swept northern Minnesota in July of 1999 is a great example. It damaged nearly 500,000 acres, over 600 square miles, in the Superior National Forest alone. This was one of the largest blowdowns ever recorded in North America. To date, only 50,000 trees have been cleaned up.

The Forest Service's attempts to deal with this blowdown illustrate the need for H.R. 4200.

The only legal or administrative tool at the agency's disposal to deal with an unprecedented event like this was alternative arrangements to comply with the National Environmental Policy Act, and those required approval of the White House Council on Environmental Quality. While the CEQ granted those agreements to the Forest Service, actual debris removal didn't occur until long after the windstorm hit. By this time the downed trees had deteriorated significantly, losing much of their value.

Unless we act today, the national forest will continue to face events like this blowdown without the authority to quickly analyze, propose and move forward with forest recovery projects. To me, it is clear the agency needs this new authority to act quickly to capture the value of damaged timber and restore our forest to a healthy and growing condition.

The goal of H.R. 4200 is to provide consistent and uniform procedures for the Forest Service to follow after catastrophic events. The bill does not open wilderness areas or other withdrawn from harvest to new timber cutting. It merely requires that the agency has to quickly evaluate whether expedited salvage is necessary, and then it allows it to cut through the red tape to make sure that the project gets done. The people of Minnesota care deeply about our national forests and so do the professionals who manage those forests. H.R. 4200 simply gives them the tools to demonstrate their commitment whenever Mother Nature throws our forest a curve ball.

I urge my colleagues to support this bipartisan and important legislation.

Mr. UDALL of New Mexico. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, I oppose H.R. 4200. This unnecessary legislation waives

critical conservation laws, compromises the public's proven commitment to protecting roadless areas, and ignores the body of peer-reviewed science on the harmful impacts of salvage logging.

H.R. 4200 represents yet another attempt by the majority in this Congress to dismantle our Nation's most paramount conservation laws. As its core, H.R. 4200 allows for environmental exemptions to expedite the removal of timber after a catastrophic event on Federal lands. These unnecessary environmental exemptions, however, come at the expense of critical laws such as the National Environmental Policy Act, the Endangered Species Act, the Clean Water Act, the National Historic Preservation Act. Should Congress approve H.R. 4200, the result would be weakening of existing laws meant to protect public participation and provide for environmental protections.

Proponents of H.R. 4200 argue this legislation complies with conservation laws. This is simply not true. To be clear, H.R. 4200 waives the requirements of four very critical conservation laws.

Mr. Chairman, in our discussion of H.R. 4200 on the Forests and Forest Health Subcommittee, it has become apparent to me that the authorities granted under H.R. 4200 for timber salvage are unnecessary. The argument that there is an abundance of timber salvage going to waste on our public lands because of the length of the NEPA process is false. In reality, the Forest Service and Bureau of Land Management have an abundance of existing authorities that allow for timber salvage to be completed on our public lands with the appropriate checks and balances.

Salvage logging already accounts for 35 percent of timber harvested on our national forests. Also, one of the largest salvage logging projects in the history of the U.S. Forest Service, on the Forest Service lands impacted by Hurricane Katrina, is being completed quickly under the authorities from the Healthy Forest Restoration Act of 2003.

Furthermore, H.R. 4200 is not scientifically sound. The underlying premise of H.R. 4200 that post-disturbance salvage logging must be completed to recover a forest and improve forest health is not supported by the abundance of peer-reviewed science on this issue to date. A study published by Donato and others in a January 2006 edition of the well-respected journal *Science*, found that post-fire logging in the wake of the 2002 Biscuit fire, reduced forest regeneration by 71 percent and increased short-term fire risk. This study adds to a substantial list of peer-reviewed science that concludes that salvage logging is contrary to the goal of improving forest health. 169 scientists from around the country submitted a letter to Congress opposing H.R. 4200 as salvage logging has been found to impede forest regeneration, damage riparian corridors, introduce or

spread invasive species, cause erosion and degrade water quality.

Mr. Chairman, H.R. 4200 is unnecessary legislation with significant negative consequences. I urge my colleagues to join me in voting "no" on H.R. 4200.

I reserve the balance of my time.

Mr. BAIRD. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. SALAZAR).

Mr. SALAZAR. Mr. Chairman, I would like to thank the gentleman from Washington and the gentleman from Oregon for bringing forth this important legislation.

Mr. Chairman, I rise today in support of the Forest Emergency Recovery and Research Act. Our Nation's forests are providing so many benefits to the public and we have that responsibility to pass this measure which will give forest managers the tools to maintain healthy forest. It will allow them to rehabilitate and reforest areas that have been hit by catastrophic events like ice storms, wildfires and disease.

Out West we are battling a huge insect epidemic that is destroying our forests, especially in Colorado. In 2005, over 425,000 acres in Colorado forests were infested with mountain pine beetle. And this means that we have 425,000 acres of prime real estate for forest fires.

Reducing wildfire hazard is critical if we are to maintain forests as a resource for communities. Forest management, including tree cutting and prescribed fire, can help return Colorado's forests to good health.

The previously passed healthy forest legislation provided forest managers with some of the tools needed. What this bill does, it adds to the tool box and strengthens their ability to restore forests across the country.

□ 1200

This legislation is vital to the West, and I urge my colleagues to support the passage of this bill.

Mr. WALDEN of Oregon. Madam Chairman, I yield 3 minutes to the gentleman from Arizona (Mr. HAYWORTH).

(Mr. HAYWORTH asked and was given permission to revise and extend his remarks.)

Mr. HAYWORTH. Madam Chairman, I thank my colleague from Oregon for this time.

I rise in strong support of the Forest Emergency Recovery and Research Act and would like to highlight a few of the more than 100 diverse groups that share in my support of this legislation. While these groups range in background and represent interests from across the country, they all strongly support the timely restoration of our precious public lands.

A number of professional firefighting groups support this act, including the International Association of Fire Chiefs. In addition, the National Association of State Foresters, National

Association of Federal Employees, National Wildlife Suppression Association, and Pacific Wildfire International, which collectively represent 25,000 firefighters, all support H.R. 4200.

In fact, the State Foresters say, "As a leader in wildland firefighting, the National Association of State Foresters supports H.R. 4200 as a tool for restoring forests and reducing long-term fire danger, thereby reducing risk to communities and wildland firefighters alike."

Twenty-three wildlife and outdoor sports groups, including the International Association of Fish and Wildlife Agencies, the Rocky Mountain Elk Foundation, the Theodore Roosevelt Conservation Partnership, Wildlife Management Institute, all support this legislation as well. The Congressional Sportsmen's Foundation comments, "This legislation's commitment to timely responses to catastrophic events by allowing for rapid restoration of ecosystems, utilization of damaged trees before they lose economic value, protection of adjacent lands from subsequent wildfires, and the opportunity for public participation and recovery planning is consistent with our members' expectations and is simply common sense."

The Society of American Foresters, or SAF, which represents more than 15,000 scientists, professional forest managers, researchers, and consultants from across the country likewise supports this legislation. According to the SAF, "Catastrophic events will forever alter our forests, but we can bring them back quickly with timely and thoughtful science and experience-informed management . . . this act would also provide for additional research to help improve actions forest managers take in responding to catastrophes . . . We urge you to support the Forest Emergency Recovery and Research Act."

Moreover, a wide variety of associations, such as the Southern Forest Products Association, the American Forest & Paper Association, and the National Association of Home Builders, all support this bill. And a host of our State and local government partners have written letters of support for this legislation, including the National Association of Counties and the National Association of Conservation Districts.

The comments of support this bill has received consistently express one key theme: When catastrophe strikes, the Federal Government must have scientifically proven, commonsense policies in place that allow us to act quickly to restore and reforest public land. This legislation allows us to do this.

I urge my colleagues to join us in support of this bipartisan legislation.

Mr. UDALL of New Mexico. Madam Chairman, I yield 3½ minutes to the chairman of the House Science Committee, Representative BOEHLERT.

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Madam Chairman, I rise in strong opposition to this bill.

I know the sponsors of this bill mean well, and I know they think they have written a narrowly tailored, environmentally protective bill. But, unfortunately, they have not. I am not questioning the sponsors' intent, but I do have serious problems with the product of their actions.

Let me start by emphasizing that I am open to efforts to expedite environmental procedures for true emergencies or in other clear cases where current laws are needlessly burdensome. I helped negotiate the Healthy Forests Restoration Act, and I supported its passage. That act and the preexisting laws which were improved to be both responsive and responsible has enabled us to respond in a meaningful and timely way to Katrina. But the bill before us today is far broader than that act and all other current law and contains few, if any, of their environmental protections.

Here are some things that could happen that you should know about H.R. 4200: First of all, it can be applied to a wide variety of situations far beyond the normal definition of an emergency that requires immediate action. Under the bill a catastrophic event includes slowly developing problems like drought and insect infestation, problems that can be addressed through processes that allow for true analysis and review. Not only that, the bill applies to situations in which damage may not occur for many years, again a situation that needs to be addressed, but not so quickly as to allow no time for true analysis.

There are very few forests that are not experiencing a catastrophic event on almost a daily basis under the definition in this bill. If you want to write an emergency bill, then I think it ought to apply to emergencies.

I would also point out that this bill applies to wilderness study areas, which are exempt under Healthy Forests.

And what can happen when this bill is applied? Well, all normal environmental reviews are waived. Reviews are even waived for preapproved plans that are written long before an emergency. No environmental review. Then under the bill projects can proceed without the consultation required by the Endangered Species Act and the Clean Water Act. When would consultation occur? The bill does not set a time frame. It would just be sometime after the project started, probably after any unnecessary damage has been done.

In short, this bill does not expedite procedures. It eviscerates the application of environmental law for the projects under the bill. No environmental analysis of alternatives. No timely analysis of the effect on clean water.

We cannot just put a nice-sounding label on a bill and expect us to support a cosmetic labeling plan on its surface without looking at the rest of the

story. I wish this bill were as advertised. A targeted bill to handle legitimate emergencies would pass muster with me. But this is a bill that would allow unanalyzed salvage timber sales; new road building, including in roadless areas; and projects that threaten water supplies without any true legally reviewable analysis of alternatives and without ample opportunity for public review and comment.

I urge my colleagues to oppose this bill.

Mr. BAIRD. Madam Chairman, I yield myself such time as I may consume.

I just invite my dear friend from New Mexico, who spoke earlier, if he might address a question for me because I think, with respect, he is comparing apples and oranges.

He suggested that a scientific study by Oregon State University showed that postfire logging decreases forest regeneration and increases fire risk. Is the gentleman from New Mexico aware that that study gathered data 2 years postfire, not from a harvest begun 90 days after the fire, as we would allow in this bill? Is the gentleman aware of that?

Madam Chairman, I yield 30 seconds to the gentleman from New Mexico to answer that question.

Mr. UDALL of New Mexico. Madam Chairman, the gentleman from Washington should know and understand that the Science Journal that this was published in is peer reviewed. It is one of the most solid scientific publications, and it came out and said that regeneration was hurt 71 percent, that 71 percent was hurt in that regeneration process.

Mr. BAIRD. Madam Chairman, I yield myself such time as I may consume.

I asked a straightforward question about a study that was conducted 2 years post. I got a dissertation about the journal in which the study was published.

I happen to hold a doctorate in clinical psychology, used to teach research methods, and I will tell you that particular study, as many that we have heard today, does not apply to this. It is an apples and oranges comparison.

One of the things that has been remarkable to me, as an environmentalist, as a scientist, and as someone who represents a forested district, is the willingness of the opponents of this legislation to simply distort the truth. Elsewhere I have introduced legislation called the "72-Hour Rule" to give us time to read bills before we vote on them. I am coming to believe today that that is unnecessary because I do not think people do read bills before they come down here to debate.

Let me address some points that have been made. People have suggested that this dismantles laws. Not a single fundamental environmental law is dismantled by this legislation. That is a false claim.

People have suggested that there are no protections for riparian areas. My

colleague from New Mexico suggested that. We are just going to have logging right up to the streamside, it seems. That is not correct. Existing forest management plans require streamside set-asides. I can take you to fires where the harvest has been conducted, and you have got 150-foot buffers as required under existing law, law that must be followed under this proposed legislation. So we have buffers for streams.

People have suggested this bill allows for plantation-type reforestation. That, too, is false. This legislation specifically proscribes, prohibits, plantation-type reforestation and requires that you plant with diverse and dispersed natural species.

People have suggested that you inevitably increase erosion when you harvest. Dr. Korb, from the University of Montana, a Ph.D. scientist, testified that by cross-falling trees, you can actually reduce erosion, and you know that is common sense. If you have got a hillside that is barren because of a fire, and you go in and you drop some of the trees laterally, you create little check dams, and in areas where that is done, siltation has actually been reduced and salmon habitat and other habitat preserved and clean water preserved.

It is astonishing to me, astonishing, how my friends are able to cite studies that are apples and oranges comparisons and irrelevant to the legislation, how they are able to claim things about the legislation that are not, in fact, the case. If I believed half of what the opponents of this bill have claimed, I might oppose the bill myself. But I wrote the bill, along with Congressman WALDEN and others, so I do know what is in it. And as an environmentalist and as a scientist, it is good legislation.

Madam Chairman, I reserve the balance of my time.

Mr. WALDEN of Oregon. Madam Chairman, I yield 30 seconds to the gentlewoman from Washington (Miss McMORRIS) to speak in favor of the Forest Emergency Recovery and Research Act.

Miss McMORRIS. Madam Chairman, I thank the chairman for yielding.

I, too, just want to rise in support of this legislation and applaud the leadership of those who have been working on this legislation that is so important to move quickly to restore forests, key watersheds, wildlife habitat, and stabilize our soils.

It is not acceptable that we continue to see thousands of acres burn because of forest fires, because of poor management on our forests, big kill, and we have these catastrophic situations take place when we are not able to take action.

I wanted to specifically speak to the provisions related to the National Environmental Policy Act, NEPA. I have been working on chairing a task force, and although I applaud the authors of NEPA, who truly were visionary for

their time, I do believe there is an opportunity for us to improve the implementation of NEPA 35 years later. It is unfortunate that so often this is the law used through paperwork or bureaucratic means to prevent us from really taking action that is needed on our forests.

Northeastern Washington is known for its vast public forests that span over 2.6 million acres of land. These forests, and the resulting timber, play an extremely important role in our region's economy. Maintaining healthy forests is essential to those who make a living from the land and for those of us who use them for others purposes. Unfortunately, there are a number of critical issues that impact the health and the economic stability of the forests in our region.

One of my top priorities in Congress is to grow our economy and in order to do this we must protect our natural resources. Currently, the Colville Forest is dying faster than it is being maintained, leaving a large number of dead or dying trees susceptible to disease, insect infestation, and future wildfires.

I have also been interested in exploring issues affecting post-fire rehabilitation. Immediate restoration work on forests following catastrophic events is essential for reforestation and rehabilitation to be successful. As the chair of the National Environmental Policy Act (NEPA) task force, I have unfortunately discovered that legal and procedural delays have become the norm, leaving vast areas of national forest land barren of trees for decades. This has led to devastating impacts on wildlife habitat, soil stability and water quality.

In my district last year, just south of Pomeroy, Washington, the School Fire started on August 5th and over 13 days burned nearly 50,000 acres, destroying 215 homes, recreational cabins and outbuildings. According to James Agee, a University of Washington forest ecologist and professor who specialize in dry forest fire ecology said the area burned by the School Fire likely will take about 150 years to grow back if we let Mother Nature takes its course. That is simply not acceptable.

I co-sponsored the Forest Emergency Recovery and Research Act because our forests, and the resulting timber, play an extremely important role in the economy in the Pacific Northwest. Maintaining healthy forests is essential to those who make a living from the land and for those of us who use them for recreational purposes. Eastern Washington has experienced a number of deadly forest fires this season, and it is crucial that we have bipartisan legislation that will expedite the research and restoration process.

□ 1215

Mr. UDALL of New Mexico. Madam Chairman, I yield 1¼ minutes to the gentleman from Oregon (Mr. DEFAZIO), who worked with the Biscuit fire and has great experience in these forestry issues.

Mr. DEFAZIO. Madam Chairman, are there problems with the current process? Yes. For the most part, they are political. In the case of the Biscuit fire, the professional managers developed a plan that would have yielded somewhere around 175 million boardfeet of salvage.

The administration, in an election year, said that is not enough, we want

a lot more. They pulled that plan. They came back with another plan, much bigger numbers, but they haven't even harvested half of the original proposal, which was virtually noncontroversial. So in response, unfortunately, instead of prescribing a professional management in the future that is site specific, that mandates things, we are providing even more discretion to political appointees with this legislation.

As I said to some folks from the timber industry in my district, you may think it is a great bill with Mark Ray down there and George Bush at the White House. But what if the Clintons come back? They said, "Oh my God, that would be horrible."

So if you give total discretion to salvage or not salvage, if you fill the bill with mayas and mayas and mayas, which it does, for instance, the point was made as I came to the floor, I have been involved in other committee work, that they are mandating science. Well, actually, no; on page 14 it says "may," the Secretary may conduct one or more catastrophic event research projects.

The bill is rife with discretion for political appointees. We need professional management and certainty. This bill won't get us there.

Mr. GOODLATTE. Madam Chairman, I yield myself 4 minutes.

Madam Chairman, I rise in support of H.R. 4200, the Forest Emergency Recovery and Research Act. This bill is a very moderate approach to a very serious problem. As usual, I have worked in close cooperation with my friends and colleagues on the House Resources Committee to develop a commonsense approach to forest recovery that has garnered wide bipartisan support from our colleagues and strong endorsements from professional foresters, firefighters and local officials.

The Society of American Foresters, representing some 15,000 forestry professionals in both public and private service, has supported and, in fact, provided constructive input as both committees have worked through numerous revisions of this important bill.

FERRA has been endorsed by the Federal Wildland Fire Service Association, which represents some 12,000 firefighters who annually risk life and limb fighting forest fires and responding to other disasters. The association called FERRA "a commonsense approach" to addressing forest recovery.

Additionally, this bill has been endorsed by the National Association of State Foresters, State officials who manage millions of acres of State forests and help the Nation's over 10 million family forest owners keep their woodlands healthy.

Among the bill's many other supporters are the National Association of Counties, the American Farm Bureau Federation, the International Association of Fish and Wildlife Agencies, United Brotherhood of Carpenters and Joiners, Wildlife Management Institute, and the Rocky Mountain Elk Foundation.

Many of you have heard that FERRA is not relevant to your States. I am here to tell you that is not the case. First, the bill directs the Forest Service and Department of the Interior to work with the adjacent landowners and managers when catastrophe strikes to develop landscape-scale assessments of the damage. Since the Forest Service is only in charge of about one-quarter of our Nation's forests, this leaves the large majority of forestlands in the hands of private land owners. This provision is critically important to any Member who represents a forestland owner back home.

Second, many of you have been told not to worry about forest catastrophes, that they only happen somewhere else. Unfortunately, catastrophic events know no boundaries.

In my home State of Virginia, just last week the Forest Service wrapped up fire-fighting efforts on the Cardinal fire in Page County, Virginia, just outside my district. This fire, seen in these photographs, damaged over 1,900 acres of public lands.

So what would happen in Page County if H.R. 4200 was already in place? The Forest Service would simply have 30 days to complete a rapid evaluation of the burned area and then it would have to decide whether or not to propose a catastrophic event recovery project. That is it. No environmental laws are waived, no wilderness areas are entered, no logging is required. Nothing in the bill forces the Forest Service to cut a single tree.

If the professional land managers and the Forest Service do decide that H.R. 4200's emergency procedures are appropriate, the agency would have 90 days to analyze a proposed project and the no-action alternative. Appeals and litigation would be governed by the same sort of rules overwhelmingly approved by this body under the Healthy Forest Restoration Act. All projects would comply with existing forest plans.

FERRA also directs the Forest Service to develop preapproved practices that will undergo rigorous scientific peer review. It emphasizes the need for research, and provides that 10 percent of the revenues from any timber removed for a recovery project be dedicated to research on forest recovery. This bill addresses the need for further research and is equipped with its own funding mechanism to drive this research.

The bill will also pay for itself. CBO found that H.R. 4200 will save the taxpayers \$21 million over the next 5 years.

I urge my colleagues to support this bipartisan bill that has earned the strong support of our professional forest management people. Please join me in giving them one more tool to use in their efforts to promote forest health and the sustainability of our precious forests.

Mr. PETERSON of Minnesota. Madam Chairman, I yield myself such time as I might consume.

Madam Chairman, I rise today in support of H.R. 4200, the Forest Emergency Recovery and Research Act, and I want to commend my colleagues, Mr. WALDEN and Mr. BAIRD, for their leadership and hard work in crafting this much-needed bipartisan legislation, and I urge my colleagues to support final passage of this bill.

H.R. 4200 resulted from the devastation caused by the 2002 Biscuit wildfire in southern Oregon where 500,000 acres were destroyed. Unfortunately, the struggles did not end when the fire was extinguished. Post-fire recovery efforts were hampered by an exceedingly slow administrative response caused by procedural delays, administrative appeals and litigation. These delays resulted in significant losses of marketable salvage timber, the sales of which helps fund restoration efforts.

In Minnesota's Superior National Forest, we had a different kind of catastrophic event in July of 1999. A major windstorm with wind speeds of up to 100 miles an hour swept across northern Minnesota, impacting about 477,000 acres within the Superior National Forest. Although the Forest Service did a good job of recovering and restoring forest resources in that case, we can always do better. For example, it took the Feds almost 4 months to organize salvage timber sales on a small portion of the impacted lands and more than a year to organize the remaining sales. By that time, some of the most valuable timber had lost most of its value. This legislation offers additional tools to facilitate sales more quickly where the salvageable timber is at risk of degrading in quality.

Looking forward, the Forest Service predicts another record-breaking fire season. Since December, drought conditions, coupled with the high temperatures and wind that resulted in over 17,000 wildfires and an estimated 1.5 million acres burned, fire officials have expressed concern that the Southwest and Great Plains are at a risk of similar devastation as seen in Texas and Oklahoma these past months.

While the Healthy Forest Restoration Act provided tools to care for our forests, we need to make sure that we have the tools in place to support recovery and restoration efforts after a catastrophic event. H.R. 4200 improves this process and paves the way for prompt evaluations and development plans while meeting environmental requirements.

I am pleased to cosponsor H.R. 4200, and I encourage my colleagues to support final passage.

Mr. GOODLATTE. Madam Chairman, it is my pleasure to yield 2 minutes to the gentlewoman from North Carolina (Ms. Foxx).

Ms. FOXX. Madam Chairman, I rise today in support of H.R. 4200, the Forest Emergency Recovery and Research Act. North Carolina is home to 1.2 million square acres of national forest, with the majority of those acres being located in the western North Carolina mountains.

Our forests are visited by over 6 million tourists each year and generate millions of dollars for the local economies. People from all over the country and other nations travel to cities and towns in North Carolina and my district to see the wonderful natural resources our forests hold, and many of the towns in my district depend on that tourism industry to provide jobs and economic growth. With that said, Madam Chairman, you can understand my eagerness to protect and sustain these national treasures.

In order to protect and sustain our National Forests and lands, Madam Chairman, Congress has passed environmental laws designed to guard against man-made encroachment. However, we cannot legislate against natural disasters. Even in the mountains of North Carolina, we are susceptible to hurricane damage, flooding and tornadoes, which destroy thousands of acres of National Forest.

When Hurricane Hugo swept through North Carolina, it damaged more than 2.7 million acres of forest in 26 counties, with almost complete destruction of 68,000 acres. Timber losses to the State were valued at \$250 million. To make matters worse, only very little timber was able to be salvaged due to the fact that forestry experts were overwhelmed by the sheer volume of dead trees and there was no real plan to deal with such a catastrophe. By the time the forestry officials jumped through all the environmental hoops, most of the timber was either splintered or decayed, rendering it unusable.

Madam Chairman, we witnessed this exact same incident again last year, but on a larger scale. When Hurricane Katrina hit, millions of acres of forest were downed and destroyed, creating dangerous scenarios for disease, infestations and forest fires. Once again, because we had no plan in place for the recovery, forestry officials were forced to sit by and watch millions of dollars of boardfeet rot.

If H.R. 4200 were law, the Forest Service and private companies would have cleaned up the damage and salvaged the good timber.

We cannot allow the lessons of Hurricane Hugo and Katrina to be forgotten. We must design and implement a plan to deal with such scenarios.

Today, Madam Chairman, we have a chance to learn from our misfortunes and guard against losing so much again. H.R. 4200 is a common sense approach to a problem the United States faces yearly. The Forest Service needs the tool of rapid damage assessment, so they can quickly restore landscapes and prevent more forests from decaying and becoming fuel for uncontrollable wildfires. Research is also needed to expand and enhance knowledge on post-catastrophe treatments. This bill is critical to stopping disease and infestations from spreading, preventing wildfires, and maintaining healthy forests.

I would like to reassure my colleagues on both sides of the aisle that H.R. 4200 is not

designed to circumvent existing environmental laws. In fact, it is the exact opposite. The provisions in this bill can only be used in case of a severe natural disaster to our national forests. The bill does not affect national parks, wilderness areas, or national monuments. The bill does not override existing environmental laws, such as the Endangered Species Act, the Wilderness Act, the Clean Air Act, or the Safe Drinking Water Act. The bill simply allows the forest service to apply common sense techniques in the case of a natural disaster. It's about time the federal government put some common sense into environmental cleanup and maintenance in my opinion.

In conclusion, Madam Chairman, I would like to thank Chairman POMBO and Chairman GOODLATTE for their work on this bill. Both their Committees held numerous hearings on the bill and carefully crafted this measure with the input of local governments and environmental groups. The bill increases collaboration among federal, state, and private interested parties. The bill enjoys wide bipartisan support and will benefit the entire country, all while saving the federal government money. Again, the bill makes sound, environmental sense and I support final passage of the bill.

Mr. BAIRD. Madam Chairman, I yield myself such time as I may consume.

Let us step back for just a second, because it seems some folks may not fully understand why we need this legislation. We need this legislation because following a fire or a blowdown or other catastrophic event, the wood is actually still good, but it is only good for a finite time, as Mr. WALDEN said in his opening remarks. Every day that you delay, the value of the wood declines.

Now, we believe that it is not a situation where you can just say, well, let us look infinitely before you leap. You have got to act, because not acting here has consequences. What this bill does is expedite a way of acting responsibly so the public has input, so that you use best available science, and then the public has an appeals process.

But beyond that, the bill contains a host of protections, and I want to underscore those. Contrary to what my friend from the Science Committee suggested, you can only cut trees that are either dead or in eminent demise. So if a tree is blown over, it can live for a year or so, but it is going to die mighty soon. There is no provision in this bill, none whatsoever, that allows you to go into a healthy stand of green trees and cut it.

Secondly, if a wilderness area or a national park burns, they are off limits. The bill doesn't touch them. Doesn't touch them.

Third, the bill does not require logging anyway. It merely says that if the managers on the ground think it can be done responsibly and economically and appropriately, they can move forward. In fact, many of the fires in the Pacific Northwest, you have hundreds of thousands of acres burned, and only 6 or 7 percent harvested.

Congressman WALDEN and I agree with the science that there are a num-

ber of species that depend on standing burned logs for habitat. That is why the bill specifically says you have to leave some logs. It is also why many areas would be left unharvested.

But you look at these 100,000-acre forest fires and you say if you are going to harvest 6 or 7 percent, you have plenty of habitat for those critters that depend on burned trees. But there are also species that prosper more in an open area after harvest, and if what you truly want to support is broad species diversity, you will realize net greatest overall species diversity from harvesting some areas, leaving other areas standing.

I also want to follow up on something Mr. GOODLATTE said. People who don't represent forest districts may say what is in it for me; why should I care?

Here is why you should care. Because when you build your house, if you had a builder come to you and say here is your choice; we can either build this house with perfectly solid wood that came from dead trees that were killed in a fire, or we can build your house by cutting down live trees that are standing today, which would you prefer? Most Americans would say, you know, I would rather use the dead wood, if it is good structurally, to build my house; and indeed it is good structurally, but only if you harvest it promptly.

Let me go right back to basics. We use wood. It has got to come from somewhere. If you can get it from burned forests and do so responsibly and protect the environment, as this bill requires, that is where you ought to get the wood from. But if you delay that harvest unnecessarily, you will diminish the value of the wood and you will increase the adverse environmental impact.

Finally, let me say this: We make decisions in our society and we make trade-offs and balance things. My friends on the other side would say, where is your peer-review science that proves it is good for a forest to harvest burned trees?

You make sacrifices whether you harvest live trees or dead trees. In the case of a live tree, you are sacrificing a living tree. In the case of a dead tree, you are sacrificing a dead tree. The choice is pretty clear to me, and that is what this bill allows us to make: that choice.

□ 1230

Mr. UDALL of New Mexico. Madam Chairman, I yield our remaining time to a leader in our Resources Committee on forest issues and a champion on protecting our forests and watersheds, Representative INSLEE.

Mr. INSLEE. Madam Chairman, the people of the State of Washington deserve decisions about the Eagle Gap Wilderness area to be made based on science and public input, not the whims of President George Bush.

Why do we rush to give this President, the President with the worst environmental record in American his-

tory, more discretion, more leeway, less science, less public input? That is a bit like giving Bonnie and Clyde a relaxation of the rules against bank robbery.

There is no reason, given the record of this administration, to trust these administration policies with our national forests. But this bill will give a blank check to the whims of the political decisionmakers in the White House, not the foresters on the ground.

This, in fact, strips, strips us of the requirement that we have a site-specific decision to go out and look at these properties. Now I will tell you how bad it is. I will tell you how George Bush's administration has not respected science. When Mr. Donato, a researcher at Oregon State University, reported his paper in a well-respected journal, *Science Magazine*, a peer-reviewed journal, do you know what happened? Do you know what his BLM did? They canceled his contract.

That is how the Bush administration treats science. They cancel your contract if you come out with science, with an answer that is not apparently approved by Carl Rove and his political minions.

Madam Chairman, we should not be on this floor giving George Bush more authority to make more bad decisions about the national forests. Reject this bill.

Mr. GOODLATTE. Madam Chairman, I yield 2 minutes to the gentlemen from North Carolina (Mr. HAYES).

Mr. HAYES. Madam Chairman, I thank the chairman for yielding me the time.

Madam Chairman, I rise in strong support of H.R. 4200. The people who wrote the bill are here in the room, as far as I can tell. Forestry is the dominant land use in my State, covering almost two-thirds of our land. About 10 percent of our timberland is in Federal ownership. H.R. 4200 would give our forestry advisors a badly needed new tool to deal with the types of catastrophes that sometimes visit our forests.

Although we do have fires, our forests suffer much greater harm from bugs, like the pine beetle, and from hurricanes like Hugo. Thank God we have not had a visitor like that for some time.

Hugo destroyed some \$250 million worth of timber. South Carolina suffered similar damage from that storm. The 2000 outbreak of southern pine beetle spread rapidly to over 130,000 acres of non-Federal land, and additional private land in and around Pisgah National Forest and the Biltmore Estate, known as the Cradle of Forestry in America.

If the beetle is not controlled quickly, it will easily spread to adjacent lands. Most of this outbreak is on Federal lands, making it extremely important the Forest Service respond quickly to avoid spreading infestations to adjacent healthy non-Federal forests.

"We do not have a year or 2 years" stated Jim Hefley, a retired forestry

professional charged with heading up the committee to address the outbreak. "We have 120 days to accomplish our work and remove the infested trees."

This statement was made in November of 2000 as the beetles entered their period of winter dormancy. The Forest Service did not issue their decision to implement treatments until April 16, 2002. This is unconscionably slow.

With the authority available under H.R. 4200, the Forest Service could substantially shorten the time frame to move forward with the recovery project down to as little as 60 days if the Forest Service develops an appropriate preapproved practice to deal with southern pine beetles.

In the Southeast, we are lucky that our pine forests grow quickly. That is why they make such good wildlife habitat, and why they are the engine of the region's timber economy.

Madam Chairman, I urge unanimous support of H.R. 4200.

Mr. PETERSON of Minnesota. Madam Chairman, I yield 2 minutes to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Madam Chairman, I thank the gentleman from Minnesota.

Madam Chairman, just briefly, I mentioned earlier the amazement with which I have watched some of the misrepresentation that has occurred on the floor today.

I just saw it again a second ago from my good friend from Washington State. BLM did not, for the record, cancel the contract of the researcher, they suspended it following a review to make sure procedures had been followed.

I also want to talk about this criticism of planning ahead. You know, folks on my side have been in high dudgeon and great outrage at the lack of planning by FEMA prior to Hurricane Katrina. Here we are with a bill that would allow us to plan ahead, so that when disaster strikes we can respond responsibly and promptly with the best available science to protect the environment and to save the taxpayers money, and we are being criticized for advance planning.

It is a good bit paradoxical, my friends. You cannot say on the one hand we ought to plan for disasters like Katrina, but we should not plan for disasters in a forest. You should plan for both, and we have proven mechanisms for responding to both.

And here is something that has to be underscored. What we are talking about today is standard practice, standard practice by State foresters, by industrial foresters, by private timber owners, and by tribes. People who have fiduciary responsibilities to their taxpayers, to their stockholders, and to the timber owners do this every day across the country.

And if you would come with Congressman WALDEN and I, we can walk you through beautiful, magnificent forests that were burned one time, harvested, and regenerated. That is why we are supporting this bill.

I would just say for all of the talk on evidence, the evidence can be obtained right here with your eyes. Just come visit these forests. If 15,000 people who manage forests on the ground every day support this, this is not about giving President George Bush authority over burned fires, it is about giving the timber managers who live and work and know the ground and raise their families nearby and drink the water from the watersheds and have years of experience, that is who gets the authority under this bill.

Mr. GOODLATTE. Madam Chairman, I yield 2 minutes to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Madam Chairman, I appreciate the bipartisan leadership on this bill. I think sometimes in Washington we would do better to not clear-cut the truth when it comes to issues like this.

Madam Chairman, the truth is when natural disasters hit our forests, as they do in east Texas, our regulations really hinder our ability to recover that forest quickly. They do not help; they hinder it. This bill does the opposite. I strongly support it.

Madam Chairman, in 1998 we had a windstorm that hit the Sabine, Angelina and Sam Houston National Forests here in east Texas, damaged about 200 million boardfeet of timber. As bad as that looks, and as big as that looks, you should have seen what Hurricane Rita did. The fourth largest hurricane to ever hit the gulf coast damaged nearly a million boardfeet of timber, and that is our number one, not only our number one economic driver in east Texas, but we really value our forests. We want to recover them, because that to us was a huge natural disaster.

This bill will help us recover from disasters like this. All of them had salvageable timber; terrible Hurricane damage, but salvageable timber. But because of the large volume of timber that was damaged, the rapid decay of the dead wood, and procedural red tape and economic constraints, salvage operations, the ability to salvage this is limited. And if we do not do that, the down and damaged timber becomes hazardous fuel, endangering the public and firefighter safety.

And all of the remaining undamaged timber becomes highly susceptible to other timber losses, because of bark beetles further impairing the forest health, and blue stain, which affects the timber itself. So failure to remove salvageable timber impedes the restoration of some of our treasured habitat, such as threatened and endangered red cockheaded woodpecker and the Louisiana pine snake.

Madam Chairman, delays to harvesting downed timber means delays and increased costs all across the board, and the ability in this bill to use alternative ways to do it makes healthier forests and better species. Madam Chairman, I strongly support this bill.

Mr. PETERSON of Minnesota. Madam Chairman, I yield to Mr. BAIRD such time as he may consume.

Mr. BAIRD. Madam Chairman, I want to add one other environmental consideration on this, the issue of greenhouse gases. When you talk about billions of boardfeet of timber down post-Katrina, and you think about what happens if there is a secondary burn and how much carbon is put into the air, that is not good if you want to contain greenhouse gases.

Those who are concerned about global warming, as am I, and as are many of my friends who have spoken today, seriously ought to consider, you can entrap the carbon in those trees by building a home with the wood, or you can leave the carbon in those trees to burn a second time and to fill the atmosphere with smoke.

I would submit that it is better from an environmental perspective to make sure that those forests do not reburn if you can do so responsibly, and we have testimony from wildland forest fighters that by removing these trees postfire you can actually reduce the risk of subsequent fires if you reharvest.

Mr. GOODLATTE. Madam Chairman, will the gentleman yield?

Mr. BAIRD. I yield to the gentleman from Virginia.

Mr. GOODLATTE. Madam Chairman, the gentleman makes an excellent point. And the point you made earlier about choosing between dead, dying, burned trees versus live, living trees not being cut down are also helping the environment by absorbing that CO₂. So this is a very proenvironmental piece of legislation.

Mr. BAIRD. Madam Chairman, reclaiming my time. I appreciate that point. This is the choice you are making. You are not choosing whether or not to use wood. We have got to use wood, and it is a darn good product.

You are going to get some from living trees, you are going to get some from burned trees, but if you have got the burned trees, use the wood responsibly, use it promptly. Sink the carbon in your house, do not put it into the atmosphere.

Mr. DUNCAN. Madam Chairman, I claim the time of the Transportation and Infrastructure Committee on behalf of Chairman YOUNG.

The Acting CHAIRMAN (Mrs. MILLER of Michigan). The gentleman is recognized for 10 minutes.

Mr. DUNCAN. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, before I yield some time to Chairman WALDEN, I would like to mention a couple of things. A few years ago I read the book "A Walk in the Woods" by Bill Bryson about hiking the Appalachian Trail. He says in that book that New England in 1850 was 30 percent in forestland. Today it is almost 70 percent in forestland. A few days ago I think it was USA Today or one of the national publications had an article about the State of Vermont and said it is 77 percent in forestland.

The Knoxville New Sentinel a few years ago said that Tennessee in 1950 was 36 percent in forestland. Today it is 55 percent in forestland. Yet if I went to any school in this country and asked the kids, are there more trees now than there was 100 or 150 years ago, they would all say, no, there are a lot fewer trees; when the truth is, there are billions and billions more trees, and hundreds of millions of acres more in forest today than at any time in our history.

And then I remember in the forest subcommittee in 2002, at the first of the year and then again in late spring, we were warned that 40 million acres in the West were in imminent danger of catastrophic forest fire, and later that year we saw some 7 million acres burned by needless, unnecessary forest fires that could have been prevented. I am told by the staff that we will probably have 7 million acres more burned this year, and that is a sad, unfortunate thing.

We have groups all over this country who do not want you to drill for any oil, do not want you to dig for any coal, do not want you to produce any natural gas, and do not want you to cut any trees. Madam Chairman, do you know who that hurts? It hurts the poor and the lower-income and the working people of this country most of all. The wealthy are always going to do all right. But these things that we do up here affect the poor and the lower-income and working people most of all because when you do not allow anything, any type of natural resource production in this country, what do you do? You drive up prices and you destroy jobs. Who does that hurt the most? It hurts the poor and the lower-income and the working people. And it drives up prices for everything that uses wood, from homes and furniture to toilet paper and everything else.

And so that is what some of this bill is about today. I have got some more I would like to say on it.

Madam Chairman, I yield such time as he may consume to Chairman WALDEN for some further remarks.

Mr. WALDEN of Oregon. Madam Chairman, I certainly appreciate all of the work that Mr. DUNCAN has done on our Subcommittee on Forests and Forest Health, and the gentleman's comments today really, I think, make a very, very strong point.

We have more forested acres today than we did 100 years ago, and we have more trees today than we did. In fact, one of the issues we face in America's forests in the West is overstocked forests. And when forests get overstocked, then bugs come in, nature takes over, you have disease, you have stressed trees, and often they die. And then you get a fire.

You have seen earlier in the debate pictures of these forests after they have burned. Now I represent a district that is nearly 70,000 square miles, home to, I think, 10 or 11 national forests. More than half of the land mass of the

district I represent is in government ownership.

I love to get out and backpack and hike. I was up on Dog Mountain this weekend in Columbia Gorge. I love these forests.

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I want healthy green forests, I want to protect the watersheds. I also drive through forests that burned years ago and nothing has been done to recover them. There are valuable stands of timber there that could have been harvested to pay for the recovery effort. The Congressional Budget Office says if we allow the Forest Service and the BLM to move quicker on the projects they deem to be appropriate under their planning documents and in compliance with the Federal environmental laws, we could actually increase receipts by 40 percent from those sales. Forty percent. We could pay for the restoration work. We could restore the forests.

Now, you have heard comments today about how do we define a disaster. Well, we define it virtually identically to the way the Federal Emergency Management Agency defines a major disaster. The language is almost identical. It means any natural catastrophic catastrophe, including any hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowslide, drought. All of those things contribute to a catastrophe in America's forests, and so we use the same definition. So if you don't like our definition here, well then maybe we need to change FEMA. But I don't think anybody would stand for that in an emergency. If we have an emergency in a forest, the emergency doesn't end when the smoke clears.

We have also heard today, erroneously, no site evaluation. We would wipe that out. Nobody would ever have to go on the ground. That is not true. Go to page 32 of the manager's amendment that we are debating today: We require the agencies to show rationale for their decision, economic analysis and justification, an analysis of the environmental effects of the project, and how such effects will be minimized or mitigated consistent with applicable land and resource management plan. And it goes on through.

And let me say, we continually heard this nonsense that somehow you can do this without ever following the Clean Water Act or Safe Drinking Water Act or the Endangered Species, and that is simply not the case; because Americans act, and that is simply not the case; because Americans under our law would have the same right they have under existing law in the Healthy Forest Restoration Act to appeal, and to appeal to a court of law who would immediately shut down a project with a temporary restraining order, stop them in their tracks if they didn't follow existing Federal law. The safeguards are in this bill to do what is needed to be

done to improve America's forests, to get them back into restored status, to move quickly after a catastrophe, after a disaster, as we expect the government to do after a lot of different events that occur in our country. We just want to be able to do that in our forests as well, like every other forestland manager has the authority to do.

Madam Chairman, I reserve the balance of my time.

Mr. PETERSON of Minnesota. Madam Chairwoman, I would like to yield the balance of my time to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Madam Chairman, I thank the gentleman. I want to follow up on something my good friend Mr. DUNCAN pointed out. In my district I mentioned earlier we have got communities with double-digit unemployment. Some of these small timber towns, the only real game in town is timber. And if there is a catastrophic fire in the vicinity of that mill and the choice is to let that wood rot or put some people to work by milling it, it is going to be mighty hard for me to go back home and look these folks in the eye and say, "I know that there is perfectly good wood that we could get out. I know that we could build houses with it, make paper products, but you know we have to leave it completely untouched until that wood just rots."

Now, we are not saying harvest every stick of timber. We are not saying that in every fire or blowdown you harvest anything. But if you can get economically valuable products out and if you can do it in a responsible way, then by golly you ought to do it. And that is what this bill comes down to at the end of the day.

When Congressman WALDEN and I visited the Timbered Rock fire, we rode out to that fire site with the forest people, the forest managers of that area. This is not about having some bureaucrat in Washington, DC, manage forests. That is actually what is happening now. We are managing through litigation. Litigation is probably the most inefficient way to manage anything. If you can avoid it, do so. The folks who actually manage these post-fire scenarios live in the communities. I talked to one fellow, he said, "This is where I come to fish with my kids. Do you think I want to let this go forward in a way that is going to destroy the fishing? This is where we come to hunt." The water supply for my community is downstream from this fire. I have every investment in managing this responsibly.

The forest managers who go into that profession go into it because they love the forests. They live in the field, they know the terrain. And this bill allows them to respond promptly if there is an incident, and to use advanced planning to prepare for an incident so that they can do the most responsible thing the most promptly. That is what this thing is about. Again, it is common sense and

I am proud to have coauthored it. I thank the gentleman for his leadership. We will see some proposed amendments in a moment. I would urge rejection of those and final passage of the legislation.

Mr. DUNCAN. Madam Chairman, I am pleased that the gentleman from Washington, who is a really good Member and a good friend of mine, that he mentioned the small logging companies. I remember in 1978, we had 157 small coal companies in east Tennessee, and then they opened up a Federal mining office and now there are none of those small companies left.

When you overregulate anything, it helps the big giants, but it first runs the small companies out and then even the medium-sized companies. And I am told that is what is happening all over the country to our small logging companies. And I remember, I was told years ago that in the mid-eighties that Congress passed a bill that the environmentalists wanted that would not allow cutting of more than 80 percent of the new growth in our national forests. Today, we are cutting less than one-seventh of the new growth in our national forests, and we have two or three or four times as much dead and dying trees, and under the present rules we can't even go in there and get some of these dead and dying trees out. Like he said earlier, I said this bill is just another of many things that we are trying to not only help the environment but to help the poor and the lower income and the working people by not driving up prices and not destroying jobs in the way that we have been doing. But also this is a bill that would help some of the small businesses, some of the small logging companies maybe to survive instead of all having to go out.

H.R. 4200, this Forest Emergency Research and Recovery Act, would allow land managers to move swiftly after a disaster to stabilize soils, protect streams and riparian areas and reforest the land. The bill allows for the establishment of preapproved management practices and emergency procedures that could be implemented quickly after a fire or other catastrophic event. This bill, H.R. 4200, allows for compliance with the Clean Water Act requirements to occur simultaneously with the implementation of these preapproved management practices or emergency procedures.

H.R. 4200 is essential, I think, to ensuring our national forests are forested for future generations. This is a good bill. It is good for the environment, it is good for business, and it is good for the average ordinary citizen who doesn't need for wood product prices to just go out of sight. And so I urge passage.

Mr. BACA. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

Mr. Chairman, I would like to voice my support for H.R. 4200.

The catastrophic wildfires that devastated southern California in late 2003 are proof that

forest health and recovery are essential. We must expand these tools however possible to protect the lives and property of our constituents.

I only wish the agency and administration would have heeded our demands from then Governor Davis, Senators BOXER and FEINSTEIN, and many others including myself for emergency fuels reduction funding.

The fact is that many forests in southern California continue to be matches waiting to set ablaze. Bark Beetle infestations have ravaged the San Bernardino National Forest and many populated rural areas.

Either we learn the lessons of the past or we are condemned to repeat those mistakes in the future.

By the time the 14 major wildfires in southern California were extinguished in November 2003, 24 lives were lost, 3,710 homes were destroyed, and 750,043 acres were blackened—70,000 of those acres in San Bernardino County.

We must also remember the post-fire flooding in the erosion-prone mountain watersheds, and how 17 lives were lost in San Bernardino County alone. Sixteen of these lives were lost on Christmas Day, including those of two constituents.

Mr. Chairman, I completely agree that recovery is essential, but I am also very interested in ensuring that the contractors doing this recovery are not engaging in criminal violations of health, safety and labor law.

At the December hearing on this bill in the Agriculture Committee, I introduced into the record an exposé by the Sacramento Bee on the deplorable, and often criminal, conditions to which these H2B and other contract employees are subjected.

Some are not paid their full wage, denied safety equipment, or made to live in subhuman conditions because of their H2B guestworker status.

Mr. Chairman, that is why I will be holding a briefing tomorrow at 2 p.m. in the Science Committee room on these forest workers and how agencies can improve their oversight of wage and workplace safety violations.

Mr. Chairman, I agree that we need to protect the lives and property of our constituents by maintaining healthy forests and recovering after disasters and pest infestations. That is why I am voting in favor of this legislation. I urge my colleagues to do the same.

Mr. THOMPSON of Mississippi. Mr. Chairman, I rise in favor of H.R. 4200, the Forest Emergency Recovery and Research Act (FERRA).

Many of you are supporting this bill because of wild fires. My state and I have a different, but just as important need. Hurricane Katrina caused the largest single forest and wildlife habitat devastation in our Nation's history—5 million acres—and it did not discriminate between public or private land or the rich, poor or the middle class. She was an equal opportunity destroyer. By the way, this represents 19 billion board feet of timber with a value of \$5 billion. This is enough timber to build 800,000 homes and make 25 million tons of paper and paperboard.)

National Wildlife Refuges, National Parks and National Forests were all severely damaged. The DeSoto National Forest was hit the hardest. But besides trees, we had a diversity of plants and animals that lost their homes too. In fact, the damage left by Katrina is the

largest single devastation of fish and wildlife habitat since the Exxon Valdez.

I have witnessed the devastated, high quality forests of the DeSoto degrade to a point that we must appropriate many millions to clean up the debris and recover this forest. That was not necessary.

By acting in a timely manner as FERRA will allow, we can salvage valuable wood products before they deteriorate. This will generate much needed dollars for rural schools and return more dollars to federal and state treasuries. It will also generate funds to restore the homes of wildlife and the citizens of places like the Gulf Coast and New Orleans.

We don't need to cut down live trees that are valuable at producing oxygen, sequestering carbon dioxide and providing fish and wildlife habitat when we can use ones that are already damaged. It's just common sense.

As the first member of my party to co-sponsor the Healthy Forests Restoration Act, I ask you to vote in favor of H.R. 4200.

Mr. DUNCAN. Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mrs. MILLER of Michigan). All time for general debate has expired.

In lieu of the amendment recommended by the Committee on Resources printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute printed in the designated place in the CONGRESSIONAL RECORD and numbered 1. That amendment in the nature of a substitute shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as “Forest Emergency Recovery and Research Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.

TITLE I—RESPONSE TO CATASTROPHIC EVENTS ON FEDERAL LANDS

- Sec. 101. Development of research protocols and use in catastrophic event research projects.
- Sec. 102. Catastrophic event recovery evaluations.
- Sec. 103. Compliance with National Environmental Policy Act.
- Sec. 104. Availability and use of pre-approved management practices.
- Sec. 105. Availability and use of emergency procedures.
- Sec. 106. Administrative and judicial review.
- Sec. 107. Guidance regarding reforestation in response to catastrophic events.
- Sec. 108. Effect of title.
- Sec. 109. Standards for tree retention.

TITLE II—RESTORING LANDSCAPES AND COMMUNITIES IMPACTED BY CATASTROPHIC EVENTS

Subtitle A—Cooperative Forestry Assistance Act of 1978

- Sec. 201. Assistance under Cooperative Forestry Assistance Act of 1978 to restore landscapes and communities affected by catastrophic events.

Subtitle B—Department of the Interior
Assistance

Sec. 211. Restoring landscapes.

Sec. 212. Restoring communities.

TITLE III—EXPERIMENTAL FORESTS

Sec. 301. Findings.

Sec. 302. Availability and use of pre-approved management practices on National Forest experimental forests.

Sec. 303. Limited consideration of alternatives for projects on National Forest experimental forests.

TITLE IV—GENERAL PROVISIONS

Sec. 401. Regulations.

Sec. 402. Dedicated source of funds for research and monitoring.

Sec. 403. Other funding sources.

Sec. 404. Effect of declaration of major disaster or emergency.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The number and severity of catastrophic events causing resource damage to Federal land has significantly increased over the last 20 years, and such catastrophic events also create serious adverse environmental, social, and economic consequences for Federal land and adjacent non-Federal land and communities.

(2) Catastrophic events often devastate forest or rangeland ecosystems and eliminate sources of seed for desired tree and plant species, which—

(A) delays or even precludes the reestablishment of appropriate forest or plant cover on millions of acres of Federal land;

(B) increases the susceptibility of the damaged land to wildfire and noxious or harmful species and reduces the economic value of the damaged land's resources;

(C) increases the susceptibility of adjacent undamaged land to insect infestations, disease, and noxious weeds;

(D) pollutes municipal water supplies and damages water delivery infrastructure;

(E) exacerbates sediment production that adversely impacts native fish habitat and soil productivity;

(F) results in unsafe campgrounds, trails, roads, and other infrastructure; and

(G) adversely impacts the sustainability of ecosystems and the well-being of adjacent communities.

(3) Program authorities and funding mechanisms currently available to the Secretary of Agriculture and the Secretary of the Interior to respond to catastrophic events on forested Federal land do not provide for consistent and timely response activities.

(4) The Council on Environmental Quality has approved on an infrequent basis the use of alternative arrangements to respond to catastrophic events on forested Federal land, but, when used in the past, such alternative arrangements have encouraged expedited and successful recovery outcomes.

(5) A prompt and standardized management response to a catastrophic event, which is also adaptive to the unique characteristics of each catastrophic event, is needed—

(A) to effectively recover the area damaged by the catastrophic event,

(B) to minimize the impact on the resources of the area and adjacent communities adversely affected by the catastrophic event; and

(C) to recover damaged, but still merchantable, material before it loses its economic value.

(6) Reforestation treatments on forested Federal land after a catastrophic event helps to restore appropriate forest cover, which provides multiple renewable resource benefits, including—

(A) protecting soil and water resources;

(B) providing habitat for wildlife and fish;

(C) contributing to aesthetics and enhancing the recreational experience for visitors;

(D) providing a future source of timber for domestic use; and

(E) ensuring the health and resiliency of affected ecosystems for present and future generations.

(7) According to the Comptroller General, the reforestation backlog for Federal land has increased since 2000 as a result of natural disturbances, such as wildland fires, insect infestations, and diseases.

(8) Additional scientific and monitoring information is needed regarding the effectiveness of recovery treatments to improve subsequent recovery proposals in response to future catastrophic events.

(9) State, tribal, and local governments, local communities, and other entities play a critical role in restoring landscapes damaged by a catastrophic event and in reducing the risks associated with the catastrophic event.

(10) Greater resources and adaptive arrangements must be made available to land managers to facilitate the prompt implementation of recovery treatments, including reforestation, following catastrophic events.

SEC. 3. DEFINITIONS.

In this Act:

(1) **BURNED AREA EMERGENCY RESPONSE.**—The term “burned area emergency response” means the process used by the Secretary concerned to plan and implement emergency stabilization actions on Federal land in response to a catastrophic event in order to minimize threats to life or property or to stabilize and prevent unacceptable degradation to natural and cultural resources resulting from the effects of the catastrophic event.

(2) **CATASTROPHIC EVENT.**—The term “catastrophic event” means any natural disaster or any fire, flood, or explosion, regardless of cause, that the Secretary concerned determines has caused or will cause damage of significant severity and magnitude to Federal land or, in the case of title II, non-Federal land. A natural disaster may include a hurricane, tornado, windstorm, snow or ice storm, rain storm, high water, wind-driven water, tidal wave, earthquake, volcanic eruption, landslide, mudslide, drought, or insect or disease outbreak.

(3) **CATASTROPHIC EVENT RECOVERY.**—The term “catastrophic event recovery”, with respect to an area of Federal land damaged by a catastrophic event, means—

(A) if the catastrophic event involved fire, the rehabilitation and restoration activities (other than any emergency stabilization treatments undertaken as part of the burned area emergency response) that are undertaken on the damaged Federal land, including any infrastructure or facilities thereon, in response to the catastrophic event;

(B) if the catastrophic event did not involve fire, the emergency stabilization and rehabilitation and restoration activities that are undertaken on the damaged Federal land, including infrastructure or facilities thereon, in response to the catastrophic event; or

(C) the reforestation or revegetation, consistent with the applicable land and resource management plan, of the damaged Federal land in response to the catastrophic event using, to the extent practicable and preferable, native or beneficial plants to avoid creation of plantation forests and the recovery of trees on the damaged Federal land, through the use of timber harvesting and other appropriate methods of forest regeneration.

(4) **CATASTROPHIC EVENT RECOVERY EVALUATION.**—The term “catastrophic event recovery evaluation”, with respect to an area of

Federal land damaged by a catastrophic event, means an evaluation of the damaged Federal land that is conducted in accordance with section 102.

(5) **CATASTROPHIC EVENT RECOVERY PROPOSAL.**—The term “catastrophic event recovery proposal” means the list and brief description of catastrophic event recovery projects, catastrophic event research projects, and pre-approved management practices that are—

(A) identified as part of the catastrophic event recovery evaluation of an area of Federal land damaged by a catastrophic event; and

(B) proposed to be undertaken to facilitate the catastrophic event recovery of the area or evaluate the effects and effectiveness of such recovery efforts.

(6) **CATASTROPHIC EVENT RECOVERY PROJECT.**—The term “catastrophic event recovery project” means an individual activity or a series of activities identified in a catastrophic event recovery proposal for an area of Federal land damaged by a catastrophic event and proposed to be undertaken in response to the catastrophic event to promote catastrophic event recovery.

(7) **CATASTROPHIC EVENT RESEARCH PROJECT.**—The term “catastrophic event research project” means a scientifically designed study of the effects and effectiveness of—

(A) any catastrophic event recovery projects undertaken in an area of land damaged by a catastrophic event; and

(B) any emergency stabilization treatments undertaken as part of a burned area emergency response in the area of land damaged by a catastrophic event.

(8) **COMMUNITY WILDFIRE PROTECTION PLAN.**—The term “community wildfire protection plan” has the meaning given that term in section 101(3) of the Healthy Forest Restoration Act of 2003 (16 U.S.C. 6511(3)).

(9) **ELIGIBLE ENTITY.**—The term “eligible entity”, for purposes of providing assistance under subtitle B of title II, means a State Forester or equivalent State official, an Indian tribe, local government, community-based organization, or other person.

(10) **FEDERAL LAND.**—The term “Federal land” means land in the National Forest System and public lands. The term does not include any land contained in a component of the National Wilderness Preservation System or designated as a national monument.

(11) **INDIAN TRIBE.**—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(12) **LAND AND RESOURCE MANAGEMENT PLAN.**—The term “land and resource management plan” means—

(A) a land and resource management plan developed for a unit of the National Forest System under section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604); or

(B) a land use plan developed for an area of the public lands under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

(13) **LAND-GRANT COLLEGES AND UNIVERSITIES.**—The term “land-grant colleges and universities” has the meaning given that term in section 1404(11) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(11)).

(14) **LANDSCAPE ASSESSMENT.**—The term “landscape assessment” means an assessment describing catastrophic event conditions and recovery needs and opportunities on non-Federal land affected by a catastrophic event and including a list of proposed special recovery projects to address those needs and opportunities.

(15) NATIONAL FOREST SYSTEM.—The term “National Forest System” has the meaning given that term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

(16) PRE-APPROVED MANAGEMENT PRACTICE.—The term “pre-approved management practice” means a management practice identified by the Secretary concerned under section 104(a) that may be immediately implemented as part of a catastrophic event recovery project or catastrophic event research project to facilitate the catastrophic event recovery of an area of Federal land damaged by a catastrophic event.

(17) PUBLIC LANDS.—The term “public lands” has the meaning given that term in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e)).

(18) SECRETARY CONCERNED.—The term “Secretary concerned” means—

(A) the Secretary of Agriculture, with respect to National Forest System land; and

(B) the Secretary of the Interior, with respect to public lands.

(19) SPECIAL RECOVERY PROJECT.—The term “special recovery project” means an individual activity or a series of activities proposed to be undertaken to rehabilitate, repair, and restore non-Federal land damaged by a catastrophic event, community infrastructure and facilities on the land, and economic, social, and cultural conditions affected by the catastrophic event.

TITLE I—RESPONSE TO CATASTROPHIC EVENTS ON FEDERAL LANDS

SEC. 101. DEVELOPMENT OF RESEARCH PROTOCOLS AND USE IN CATASTROPHIC EVENT RESEARCH PROJECTS.

(a) DEVELOPMENT OF PROTOCOLS; PURPOSE.—For the purpose of conducting and evaluating the effectiveness and effects of a catastrophic event recovery project and of emergency stabilization treatments undertaken as part of a burned area emergency response, the Secretary concerned shall develop research protocols consisting of—

(1) a research approach that is specifically designed to improve knowledge, understanding, and predictive capabilities—

(A) to increase the long-term benefits of management activities, including natural and artificial regeneration of vegetation; and

(B) to decrease the short-term impacts of such management activities;

(2) an appropriate and scientifically sound experimental design or set of sampling procedures; and

(3) accompanying methods of data analysis and interpretation.

(b) PEER REVIEW.—The research protocols developed under subsection (a), and any subsequent modification thereof, shall be subject to peer review, including independent, third-party peer review, by scientific and land management experts.

(c) TIME FOR COMPLETION; MODIFICATION.—The research protocols required by this section shall be submitted to Congress not later than 180 days after the date of the enactment of this Act. The Secretary concerned may modify the research protocols, as the Secretary determines necessary, after their submission to Congress. The Secretary concerned shall notify Congress regarding any such modification.

(d) CATASTROPHIC EVENT RESEARCH PROJECTS.—In accordance with the research protocols developed under this section, the Secretary concerned may conduct one or more catastrophic event research projects in an area of land damaged by a catastrophic event. The Secretary may develop a proposed catastrophic event research project as part of a catastrophic event recovery proposal or develop a catastrophic event research project independently of the catastrophic

event recovery proposal during the catastrophic event recovery in response to changing conditions in the area damaged by the catastrophic event.

(e) PUBLIC ACCESS.—

(1) PROTOCOLS.—The Secretary concerned shall make the research protocols developed under subsection (a), including any modification thereof, publicly available, in a form determined to be appropriate by the Secretary.

(2) RESEARCH RESULTS.—After completion of the peer review required by subsection (b), the Secretary concerned shall make the results of catastrophic event research projects publicly available, in a form determined to be appropriate by the Secretary.

(f) FOREST HEALTH PARTNERSHIPS.—In developing and using the research protocols required by this section, the Secretary concerned shall enter into cooperative agreements with land-grant colleges and universities and other institutions of higher education to form forest health partnerships, including regional institutes, to utilize their education, research, and outreach capacity to address the catastrophic event recovery of forested land. A forest health partnership may be aligned with the current network of Cooperative Ecosystem Studies Units.

SEC. 102. CATASTROPHIC EVENT RECOVERY EVALUATIONS.

(a) COMMENCEMENT.—

(1) EVALUATION REQUIRED.—In response to a catastrophic event affecting 1,000 or more acres of Federal land, the Secretary concerned shall conduct a catastrophic event recovery evaluation of the damaged Federal land.

(2) EVALUATION AUTHORIZED.—If a catastrophic event affects more than 250 acres of Federal land, but less than 1,000 acres, the Secretary concerned is authorized, but not required, to conduct a catastrophic event recovery evaluation of the damaged Federal land.

(b) TIME FOR COMMENCEMENT.—

(1) WHEN EVALUATION REQUIRED.—When a catastrophic event recovery evaluation is required under subsection (a)(1), the Secretary concerned shall commence the catastrophic event recovery evaluation for the Federal land damaged by the catastrophic event—

(A) as soon as practicable during or after the conclusion of the catastrophic event to facilitate prompt decision-making with regard to the catastrophic event recovery of the damaged Federal land; but

(B) in no event later than 30 days after the conclusion of the catastrophic event.

(2) WHEN EVALUATION DISCRETIONARY.—When a catastrophic event recovery evaluation is simply discretionary under subsection (a)(2), the Secretary concerned shall make a final decision whether to commence a catastrophic event recovery evaluation for the Federal land damaged by the catastrophic event, and, if the final decision is to commence a catastrophic event recovery evaluation, actually commence the evaluation—

(A) as soon as practicable during or after the conclusion of the catastrophic event to facilitate prompt decision-making with regard to the catastrophic event recovery of the damaged Federal land; but

(B) in no event later than 30 days after the conclusion of the catastrophic event.

(c) COMPLETION.—

(1) TIME FOR COMPLETION.—To facilitate prompt implementation of catastrophic event recovery projects on Federal land damaged by a catastrophic event when a catastrophic event recovery evaluation is undertaken under subsection (a), whether because the evaluation is required under paragraph (1) of such subsection or because the Secretary concerned makes a decision to conduct an evaluation under paragraph (2) of such subsection, the Secretary concerned

shall complete the catastrophic event recovery evaluation for the damaged Federal land not later than 30 days after the date on which Secretary commenced the catastrophic event recovery evaluation.

(2) EXTENSION.—The Secretary concerned may extend the completion date for a catastrophic event recovery evaluation, on a case-by-case basis, when the Secretary concerned determines that additional time is necessary to evaluate a complex catastrophic event, an on-going catastrophic event, or a series of catastrophic events. Only a single extension may be provided for any catastrophic event recovery evaluation, and the extension shall not be longer than 60 days after the date on which the evaluation was otherwise required to be completed under paragraph (1).

(d) ELEMENTS OF CATASTROPHIC EVENT EVALUATION.—In conducting the catastrophic event recovery evaluation for an area of Federal land damaged by a catastrophic event, the Secretary concerned shall prepare the following:

(1) A description of catastrophic event conditions on the damaged Federal land, recovery needs and opportunities, and the areas where management intervention would be helpful to achieve the catastrophic event recovery of the damaged Federal land.

(2) A preliminary determination of any catastrophic event research projects that best fit the circumstances of the particular catastrophic event environment or would enhance scientific understanding relevant to the damaged area.

(3) A catastrophic event recovery proposal containing possible catastrophic event recovery projects and catastrophic event research projects for the damaged area and describing the anticipated size and scope of these projects.

(4) One or more maps detailing the area of damaged Federal land and the location of catastrophic event recovery proposals.

(5) A preliminary estimate of the funding that would be needed to complete the catastrophic event recovery projects and catastrophic event research projects contained in the catastrophic event recovery proposal.

(6) A preliminary estimate of the receipts, including receipts from biomass and other forest products, to be derived from the catastrophic event recovery projects and catastrophic event research projects contained in the catastrophic event recovery proposal, and, to the maximum extent practicable, an estimate of revenues likely to be lost if action is not taken in a timely manner.

(7) A preliminary schedule showing the timing of possible catastrophic event recovery projects and catastrophic event research projects by fiscal year, assuming funding is available to undertake the projects.

(e) USE OF PRE-APPROVED MANAGEMENT PRACTICES OR EMERGENCY PROCEDURES.—

(1) DETERMINATION.—In addition to complying with the requirements specified in subsection (d) for each catastrophic event recovery evaluation, the Secretary concerned shall make a determination of—

(A) whether or not any pre-approved management practices should be immediately implemented under section 104 to facilitate the catastrophic event recovery of the area covered by the catastrophic event recovery evaluation; and

(B) whether or not any catastrophic event recovery project or catastrophic event research project, or portion of such a project, contained in the catastrophic event recovery proposal should be developed and carried out using the emergency procedures authorized by section 105.

(2) FACTORS.—In making any determination under paragraph (1)(B) to develop and carry out a catastrophic event recovery

project or catastrophic event research project, or portion of such a project, using emergency procedures under section 105, the Secretary concerned shall consider at a minimum the following:

(A) The necessity of promptly responding to the catastrophic event on the damaged Federal land.

(B) The recovery needs and opportunities identified under subsection (d)(1) with respect to the damaged Federal land.

(C) The lack of pre-approved management practices authorized by section 104 applicable to the damaged Federal land.

(D) The threat to public health and safety.

(E) The likelihood of substantial loss of adjacent private and public property or other substantial economic losses.

(3) **CEQ NOTIFICATION.**—The Secretary concerned shall make the determination under paragraph (1) after notification of the Council on Environmental Quality, but the determination remains in the sole discretion of the Secretary.

(f) **INTERDISCIPLINARY APPROACH.**—To conduct the catastrophic event recovery evaluation of an area of Federal land damaged by a catastrophic event, the Secretary concerned shall use a systematic, interdisciplinary approach that insures the integrated use of appropriate natural and social sciences.

(g) **COORDINATION WITH OTHER ACTIVITIES.**—

(1) **RELATED ASSESSMENT OF NON-FEDERAL LAND.**—The Secretary concerned may combine the preparation of a catastrophic event recovery evaluation of Federal land with the preparation of a landscape assessment for non-Federal land in the vicinity of the damaged Federal land prepared under subtitle B of title II or subsection (c) of section 10A of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106c), as added by section 201.

(2) **RELATED COMMUNITY WILDFIRE PROTECTION PLANS.**—During preparation of a catastrophic event recovery evaluation for an area of Federal land damaged by a catastrophic event involving wildfire, the Secretary concerned shall consider post-fire management recommendations, if any, contained in any community wildfire protection plan addressing the damaged Federal land.

(h) **PUBLIC COLLABORATION.**—To encourage meaningful participation during the preparation of catastrophic event recovery projects, the Secretary concerned shall facilitate collaboration among State and local governments, Indian tribes, land-grant colleges and universities, and interested persons during the preparation of catastrophic event recovery evaluations and catastrophic event recovery proposals.

(i) **PUBLIC NOTICE.**—

(1) **NOTICE OF EVALUATION.**—The Secretary concerned shall provide public notice of each catastrophic event recovery evaluation, including the catastrophic event recovery proposal prepared as part of the evaluation. The notice shall be provided in a form determined to be appropriate by the Secretary concerned.

(2) **NOTICE OF PUBLIC MEETINGS.**—The Secretary concerned shall provide notice of public meetings conducted in connection with a catastrophic event recovery evaluation and the availability of preliminary analyses or documents prepared as part of the evaluation. The notice shall be provided at such times and in such a manner as the Secretary concerned considers appropriate.

SEC. 103. COMPLIANCE WITH NATIONAL ENVIRONMENTAL POLICY ACT.

(a) **COMPLIANCE REQUIRED.**—Except as provided in subsection (b), the Secretary concerned shall comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.), its implementing regulations, and other applicable laws in designing and conducting catastrophic event recovery projects and catastrophic event research projects.

(b) **SATISFACTION OF NEPA REQUIREMENTS.**—The following activities are deemed to satisfy the requirements of section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332 et seq.) and its implementing regulations:

(1) The preparation of the list of pre-approved management practices under section 104.

(2) The use of pre-approved management practices on the list in the manner provided in section 104.

(3) The use of emergency procedures in the manner provided in section 105.

SEC. 104. AVAILABILITY AND USE OF PRE-APPROVED MANAGEMENT PRACTICES.

(a) **LIST OF AVAILABLE PRE-APPROVED MANAGEMENT PRACTICES.**—The Secretary concerned shall prepare a list of management practices, by forest type or plant association group, that may be immediately implemented as part of a catastrophic event recovery project or catastrophic event research project to facilitate the catastrophic event recovery of an area of Federal land damaged by a catastrophic event. The list of pre-approved management practices shall be prepared using notice and comment rule making under section 553 of title 5, United States Code.

(b) **PEER REVIEW.**—Before a management practice may be included on the list of pre-approved management practices, the management practice shall be subject to peer review, including independent, third-party peer review, by scientific and land management experts. The results of the peer review shall be available to the public during the comment period.

(c) **REVISION OR AMENDMENT OF LIST.**—The Secretary concerned may amend or revise the list of pre-approved management practices as necessary whenever new scientific and managerial information becomes available. Subsections (a) and (b) shall apply to the amendment or revision process.

(d) **USE FOR CERTAIN ACTIVITIES PROHIBITED.**—

(1) **ROAD CONSTRUCTION.**—A pre-approved management practice may not authorize any permanent road building. Any temporary road constructed as part of a pre-approved management practice shall be obliterated upon conclusion of the practice and the road area restored to the extent practicable.

(2) **TIMBER HARVESTING.**—Timber harvesting carried out as part of a pre-approved management practice shall be limited to trees—

(A) that are already down, dead, broken, or severely root sprung;

(B) regarding which mortality is highly probable within five years after the end of the catastrophic event; or

(C) that are required to be removed for worker or public safety.

(e) **COMPLIANCE WITH OTHER LAWS.**—

(1) **ESA CONSULTATION.**—In the case of the proposed use of a pre-approved management practice included on the list prepared under subsection (a), the Secretary concerned may use the emergency procedures described in section 402.05 of title 50, Code of Federal Regulations, to comply with section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536). At the conclusion of the consultation, the statement required by subsection (b)(4) of such section shall be issued for any incidental taking that may occur while using the pre-approved management practice, which shall be effective beginning on the date the Secretary concerned initiates the practice and shall apply to all persons assisting or cooperating with the Secretary in using the practice.

(2) **OTHER REQUIRED CONSULTATION.**—Any consultation required under other laws, such as the National Historic Preservation Act (16

U.S.C. 470 et seq.), may proceed simultaneously with the implementation of a pre-approved management practice. Results of consultation shall be immediately incorporated into the practice, to the extent feasible, practical, and consistent with the response, recovery, and rehabilitation objectives of the project.

(3) **FEDERAL WATER POLLUTION CONTROL ACT COMPLIANCE.**—Compliance with any applicable requirements of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) may proceed simultaneously with the implementation of a pre-approved management practice.

(f) **ISSUANCE OF DECISION DOCUMENT.**—Not later than 30 days after the date on which the Secretary concerned makes the determination under section 102(e) to use a pre-approved management practice to facilitate the catastrophic event recovery of an area of Federal land damaged by a catastrophic event, the Secretary concerned shall issue a concise decision document that contains the following:

(1) A description of the pre-approved management practice to be implemented.

(2) The rationale for the agency decision.

(3) An economic analysis and justification.

(4) An analysis of the environmental effects of the pre-approved management practice and how such effects will be minimized or mitigated consistent with the applicable land and resource management plan. As part of this analysis, the Secretary concerned shall consider, to the extent the Secretary concerned determines appropriate, forest type or plant association group, standing- and down-dead wood, watershed, water quality, wildlife habitat, and soils applicable to the damaged Federal land.

(g) **IMMEDIATE IMPLEMENTATION.**—The Secretary concerned shall implement a pre-approved management practice immediately after the issuance of the decision document under subsection (f), subject only to the availability of funds for the practice.

(h) **MONITORING.**—To monitor the implementation of a pre-approved management practice, the Secretary concerned may establish a third-party monitoring group, as determined to be appropriate by the Secretary.

SEC. 105. AVAILABILITY AND USE OF EMERGENCY PROCEDURES.

(a) **LIMITED CONSIDERATION OF ALTERNATIVES.**—If the Secretary concerned determines under section 102(e) to utilize emergency procedures to conduct a catastrophic event recovery project or catastrophic event research project, or portion of such a project, the Secretary concerned is not required to study, develop, or describe more than the proposed agency action and the alternative of no action in designing that project or the portion of the project for which the emergency procedures are utilized.

(b) **USE FOR CERTAIN ACTIVITIES PROHIBITED.**—

(1) **ROAD CONSTRUCTION.**—Emergency procedures under this section may not be used to design or conduct a catastrophic event recovery project or catastrophic event research project, or portion of such a project, that provides for any permanent road building. Any temporary road constructed as part of the project shall be obliterated upon completion of the project and the road area restored to the extent practicable.

(2) **TIMBER HARVESTING.**—Timber harvesting carried out as part of a catastrophic event recovery project or catastrophic event research project, or portion of such a project, for which emergency procedures under this section were used shall be limited to trees—

(A) that are already down, dead, broken, or severely root sprung;

(B) regarding which mortality is highly probable within five years after the end of the catastrophic event; or

(C) that are required to be removed for worker or public safety.

(c) COMPLIANCE WITH OTHER LAWS.—

(1) ESA CONSULTATION.—In the case of a catastrophic event recovery project or catastrophic event research project, or portion of such a project, for which emergency procedures under this section are used, the Secretary concerned may use the procedures described in section 402.05 of title 50, Code of Federal Regulations, to comply with section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536). At the conclusion of the consultation, the statement required by subsection (b)(4) of such section shall be issued for any incidental taking that may occur under the project, which shall be effective beginning on the date the Secretary concerned initiates action under the project and shall apply to all persons assisting or cooperating with the Secretary under the project.

(2) OTHER REQUIRED CONSULTATION.—Any consultation required under other laws, such as the National Historic Preservation Act (16 U.S.C. 470 et seq.), may proceed simultaneously with the design of a catastrophic event recovery project or catastrophic event research project, or portion of such a project, for which emergency procedures under this section are used. Results of consultation shall be immediately incorporated into the project, to the extent feasible, practical, and consistent with the response, recovery, and rehabilitation objectives of the project.

(3) FEDERAL WATER POLLUTION CONTROL ACT COMPLIANCE.—Compliance with any applicable requirements of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) may proceed simultaneously with the design of a catastrophic event recovery project or catastrophic event research project, or portion of such a project, for which emergency procedures under this section are used.

(d) COMPLETION OF EMERGENCY PROCEDURES AND ISSUANCE OF DECISION DOCUMENT.—Not later than 90 days after the date on which the Secretary concerned makes the determination under section 102(e) to develop and carry out a catastrophic event recovery project or catastrophic event research project, or portion of such a project, using emergency procedures, the Secretary concerned shall—

(1) complete the emergency procedures for that catastrophic event recovery project or catastrophic event research project, or portion thereof, under this section; and

(2) issue a concise decision document that contains the following:

(A) The rationale for the agency decision.

(B) An economic analysis and justification.

(C) An analysis of the environmental effects of the project and how such effects will be minimized or mitigated consistent with the applicable land and resource management plan. As part of this analysis, the Secretary concerned shall consider, to the extent the Secretary concerned determines appropriate, forest type or plant association group, standing- and down-dead wood, watershed, water quality, wildlife habitat, and soils applicable to the damaged Federal land.

(e) IMMEDIATE IMPLEMENTATION.—In the case of a catastrophic event recovery project or catastrophic event research project, or portion of such a project, for which the emergency procedures authorized by this section are used, the Secretary concerned shall implement the project, or portion of the project, immediately after the issuance of the decision document under subsection (d), subject only to the availability of funds for the project.

(f) MONITORING.—To monitor a catastrophic event recovery project or cata-

strophic event research project, or portion of such a project, for which the emergency procedures authorized by this section were used, the Secretary concerned may establish a third-party monitoring group, as determined to be appropriate by the Secretary.

SEC. 106. ADMINISTRATIVE AND JUDICIAL REVIEW.

(a) ADMINISTRATIVE REVIEW GENERALLY.—Except as provided in subsection (b), nothing in this title affects—

(1) the notice, comment, and appeal requirements of section 322 of the Department of the Interior and Related Agencies Appropriations Act, 1993 (Public 102-381; 16 U.S.C. 1612 note); and

(2) section 215 of title 36, Code of Federal Regulations.

(b) PREDECISIONAL ADMINISTRATIVE NOTICE, COMMENT, AND REVIEW.—

(1) INTERIM FINAL REGULATIONS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Agriculture shall promulgate interim final regulations to establish a predecisional administrative review process that will serve as the sole means by which—

(A) the Secretary of Agriculture will provide notice of and solicit comments regarding—

(i) the proposed use of a pre-approved management practice under section 104 on National Forest System land; and

(ii) a catastrophic event recovery project or catastrophic event research project, or portion of such a project, for which the emergency procedures under section 105 are used on National Forest System land; and

(B) a person can seek administrative review regarding—

(i) the proposed use of a pre-approved management practice under section 104 on National Forest System land; and

(ii) a catastrophic event recovery project or catastrophic event research project, or portion of such a project, for which the emergency procedures under section 105 are used on National Forest System land.

(2) PERIOD COVERED BY REVIEW PROCESS.—The review portion of the predecisional administrative review process described in paragraph (1)(B) shall occur during the period—

(A) beginning on the date on which the Secretary of Agriculture makes a determination to use pre-approved management practices or emergency procedures under section 102(e); and

(B) ending not later than the date of the issuance of applicable decision document under section 104 or 105.

(3) EFFECTIVE DATE.—The interim final regulations promulgated under paragraph (1) shall take effect on the date of promulgation of the regulations.

(4) FINAL REGULATIONS.—The Secretary of Agriculture shall promulgate final regulations to establish the predecisional administrative review process described in paragraph (1) as soon as practicable after the interim final regulations have been promulgated and a reasonable period of time has been provided for public comment.

(c) JUDICIAL REVIEW.—Section 106 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6516) shall apply with respect to the implementation of a pre-approved management practice under section 104 or a catastrophic event recovery project or catastrophic event research project regarding which the applicable administrative review process has been exhausted. In any proceeding for judicial review of agency action under this subsection, attorney fees awarded to a prevailing party may not exceed the hourly rates established in section 3006A of title 18, United States Code.

SEC. 107. GUIDANCE REGARDING REFORESTATION IN RESPONSE TO CATASTROPHIC EVENTS.

Not later than 180 days after the date of the enactment of this Act, the Secretary concerned shall—

(1) standardize the collection, reporting, and review procedures for data regarding more aggressive, expedited, and comprehensive reforestation in response to catastrophic events by clarifying agency-wide guidance and developing standard protocols for determining when and how reforestation can be best achieved as part of the response to catastrophic events;

(2) clarify agency-wide guidance regarding reforestation in response to catastrophic events to ensure that such guidance is consistent with agency goals and budget constraints; and

(3) clarify agency-wide guidance regarding the development, during the revision of a land and resource management plan, of goals and objectives for catastrophic event recovery to ensure that such guidance addresses catastrophic event recovery objectives, by forest type or plant association group, related to standing- and down-dead wood, soil and watershed protection, wildlife habitat, and other resource values.

SEC. 108. EFFECT OF TITLE.

(a) USE OF OTHER AUTHORITIES.—Nothing in this title affects the use by the Secretary concerned of other statutory or administrative authority, including categorical exclusions adopted to implement the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), to conduct a catastrophic event recovery project or catastrophic event research project, or portion of such a project, that is not conducted using the emergency procedures authorized by section 105.

(b) PREFERENCE FOR LOCAL OPERATORS.—In the manner provided in section 420 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006 (Public Law 109-54; 119 Stat. 553), the Secretary concerned may give consideration to local contractors in awarding a Federal contract to implement—

(1) a pre-approved management practice under section 104; or

(2) a catastrophic event recovery project or catastrophic event research project, or portions of such a project, for which the emergency procedures under section 105 are used.

(c) ADVISORY COMMITTEES.—The Federal Advisory Committee Act (5 U.S.C. App.) and title XVIII of the Food and Agriculture Act of 1977 (7 U.S.C. 2281 et seq.) shall not apply to—

(1) the peer review provided by scientific and land management experts under section 101(b) or 104(b);

(2) the monitoring process under section 104(h) or 105(f); and

(3) the preparation of a catastrophic event recovery evaluation or catastrophic event recovery proposal.

SEC. 109. STANDARDS FOR TREE RETENTION.

(a) STANDING DEAD TREES AND DOWNED WOOD.—In planning or conducting any catastrophic event recovery project or catastrophic event research project, the Secretary concerned shall ensure that—

(1) standing dead tree and downed wood retention guidelines contained in the applicable land and resource management plan are applied; or

(2) if the applicable land and resource management plan does not contain standing dead tree and downed wood retention guidelines, adequate standing dead trees and downed wood of the oldest age class are retained in the project area—

(A) to provide habitat for associated species through various stages of forest development;

(B) to provide a long-term nutrient source; and

(C) to retain, to the extent practicable and appropriate for forest type and plant association group, the more decay-resistant species.

(b) **EXCEPTION.**—Subsection (a) shall not apply if the Secretary concerned determines that science from land-grant colleges and universities or a Forest Service Research Station provides more appropriate standing dead tree and downed wood retention guidelines for a particular catastrophic event recovery project or catastrophic event research project.

(c) **PLAN AMENDMENT.**—The Secretary concerned may amend a land and resource management plan to incorporate standing dead tree and downed wood retention guidelines, specific to forest type or plant association group.

TITLE II—RESTORING LANDSCAPES AND COMMUNITIES IMPACTED BY CATASTROPHIC EVENTS

Subtitle A—Cooperative Forestry Assistance Act of 1978

SEC. 201. ASSISTANCE UNDER COOPERATIVE FORESTRY ASSISTANCE ACT OF 1978 TO RESTORE LANDSCAPES AND COMMUNITIES AFFECTED BY CATASTROPHIC EVENTS.

(a) **ASSISTANCE AUTHORIZED.**—Section 10A of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106c) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following new subsection:

“(c) **RESPONSE TO CATASTROPHIC EVENTS AFFECTING NON-FEDERAL LANDS.**—

“(1) **LANDSCAPE ASSESSMENTS.**—At the request of an eligible entity, the Secretary may cooperate with the eligible entity in the preparation of a landscape assessment for non-Federal lands affected by a catastrophic event. The Secretary may combine the preparation of a landscape assessment with the preparation of a catastrophic event recovery evaluation under title I of the Forest Emergency Recovery and Research Act regarding Federal land in the vicinity of the damaged non-Federal land.

“(2) **COMMUNITY ASSESSMENTS.**—At the request of an eligible entity affected by a catastrophic event, the Secretary may cooperate with the eligible entity in the preparation of a community wildfire protection plan or related plan.

“(3) **DECISION TO PROVIDE ASSESSMENT ASSISTANCE.**—In response to the request of an eligible entity for assistance under paragraph (1) or (2), the Secretary shall make a decision, within 30 days after receiving the request, whether or not to provide such assistance. The decision rests in the sole discretion of the Secretary, but, if the Secretary rejects the request for assistance, the Secretary shall provide the eligible entity with an explanation of the reasons for the rejection.

“(4) **TYPES OF ASSISTANCE.**—The Secretary concerned may provide technical and financial cost-share assistance to an eligible entity—

“(A) to assist in the preparation of a landscape assessment under paragraph (1) or a community wildfire protection plan, community assessment, or community action plan under paragraph (2); and

“(B) to implement special recovery projects identified in the landscape assessment or community wildfire protection plan, community assessment, or community action plan.

“(5) **SPECIAL RECOVERY PROJECTS.**—Special recovery projects supported under paragraph (4)(B) may include projects involving—

“(A) revegetation, tree planting, and other management practices the Secretary determines to be appropriate;

“(B) developing products from and markets for timber harvested in response to a catastrophic event and remaining forest resources;

“(C) training for the local populace for work in connection with catastrophic event recovery;

“(D) repair of forest roads, bridges, and trails and water supply areas affected by a catastrophic event; and

“(E) such other activities as the Secretary determines to be necessary to undertake the special recovery project.

“(6) **ADDITIONAL FUNDING SOURCES.**—Amounts appropriated to the Secretary to carry out sections 8 and 10 may be used to provide assistance under this subsection.

“(7) **DEFINITIONS.**—In this subsection:

“(A) The term ‘eligible entity’ means a State Forester or equivalent State official, an Indian tribe, or local government. The term may include community-based organizations and other persons working in conjunction with a State Forester or equivalent State official, an Indian tribe, or local government.

“(B) The terms ‘catastrophic event’, ‘landscape assessment’, and ‘special recovery project’ have the meanings given those terms in section 3 of the Forest Emergency Recovery and Research Act.

“(C) The term ‘community wildfire protection plan’ has the meaning given that term in section 101(3) of the Healthy Forest Restoration Act of 2003 (16 U.S.C. 6511(3)).”

(b) **CLERICAL AMENDMENT.**—The heading of such section is amended by inserting before the period at the end the following: “**AND RESPONSE TO CATASTROPHIC EVENTS**”.

Subtitle B—Department of the Interior Assistance

SEC. 211. RESTORING LANDSCAPES.

(a) **LANDSCAPE ASSESSMENTS.**—At the request of an eligible entity, the Secretary of the Interior may cooperate with the eligible entity in the preparation of a landscape assessment for non-Federal lands affected by a catastrophic event. The Secretary may combine the preparation of a landscape assessment with the preparation of a catastrophic event recovery evaluation under title I regarding Federal land in the vicinity of the damaged non-Federal land.

(b) **DECISION TO PROVIDE ASSESSMENT ASSISTANCE.**—In response to the request of an eligible entity for assistance under subsection (a), the Secretary of the Interior shall make a decision, within 30 days after receiving the request, whether or not to provide such assistance. The decision rests in the sole discretion of the Secretary, but, if the Secretary rejects the request for assistance, the Secretary shall provide the eligible entity with an explanation of the reasons for the rejection.

(c) **TYPES OF ASSISTANCE.**—The Secretary of the Interior may provide technical and financial cost-share assistance to an eligible entity—

(1) to assist in the preparation of a landscape assessment; and

(2) to implement special recovery projects identified in the landscape assessment.

(d) **SPECIAL RECOVERY PROJECTS.**—The Secretary of the Interior may provide assistance under subsection (c)(2) for special recovery projects, including revegetation, tree planting, and other practices the Secretary determines to be appropriate.

SEC. 212. RESTORING COMMUNITIES.

(a) **COMMUNITY ASSESSMENTS.**—At the request of an eligible entity affected by a catastrophic event, the Secretary of the Interior may cooperate with the eligible entity in the

preparation of a community wildfire protection plan or related plan.

(b) **DECISION TO PROVIDE ASSESSMENT ASSISTANCE.**—In response to the request of an eligible entity for assistance under subsection (a), the Secretary of the Interior shall make a decision, within 30 days after receiving the request, whether or not to provide such assistance. The decision rests in the sole discretion of the Secretary, but, if the Secretary rejects the request for assistance, the Secretary shall provide the eligible entity with an explanation of the reasons for the rejection.

(c) **TYPES OF ASSISTANCE.**—The Secretary of the Interior may provide technical and financial cost-share assistance to an eligible entity—

(1) to assist in the preparation of development of a community wildfire protection plan, a community assessment, or a community action plan; and

(2) to implement special recovery projects identified in a community wildfire protection plan, a community assessment, or a community action plan.

(d) **SPECIAL RECOVERY PROJECTS.**—Special recovery projects supported under subsection (c)(2) may include projects involving—

(1) developing products from and markets for timber harvested in response to a catastrophic event and remaining forest resources;

(2) training for the local populace for work in connection with catastrophic event recovery;

(3) repair of forest roads, bridges, and trails and water supply areas affected by a catastrophic event; and

(4) such other activities as the Secretary determines to be necessary to undertake the special recovery project.

TITLE III—EXPERIMENTAL FORESTS

SEC. 301. FINDINGS.

Congress finds the following:

(1) The experimental forests established pursuant to section 4 of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1643) or the organic administrative authorities of the Secretary of Agriculture (16 U.S.C. 551) serve as a natural laboratory for the Forest Service to evaluate management practices generally and specific responses to catastrophic events that can be eventually used throughout the National Forest System.

(2) To build upon the knowledge base to be developed using catastrophic events research projects conducted under title I, the Secretary of Agriculture should be authorized to use the same authorities provided under sections 104 and 105 to design and carry out projects in the experimental forests.

SEC. 302. AVAILABILITY AND USE OF PRE-APPROVED MANAGEMENT PRACTICES ON NATIONAL FOREST EXPERIMENTAL FORESTS.

Management practices included on the list of pre-approved management practices prepared under subsection (a) of section 104 may be implemented, in the manner provided by such section, in an experimental forest established pursuant to section 4 of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1643) or the organic administrative authorities of the Secretary of Agriculture (16 U.S.C. 551).

SEC. 303. LIMITED CONSIDERATION OF ALTERNATIVES FOR PROJECTS ON NATIONAL FOREST EXPERIMENTAL FORESTS.

Section 105(a) shall apply with respect to any individual activity or a series of activities proposed to be undertaken in an experimental forest established pursuant to section 4 of the Forest and Rangeland Renewable Resources Research Act of 1978 (16

U.S.C. 1643) or the organic administrative authorities of the Secretary of Agriculture (16 U.S.C. 551).

TITLE IV—GENERAL PROVISIONS

SEC. 401. REGULATIONS.

Except as provided in section 106(b), the Secretary concerned is not required to promulgate regulations to implement this Act.

SEC. 402. DEDICATED SOURCE OF FUNDS FOR RESEARCH AND MONITORING.

(a) SPECIAL ACCOUNT.—The Secretary of the Treasury shall establish a special account in the Treasury for each Secretary concerned.

(b) DEPOSITS.—Ten percent of the gross proceeds derived by the Secretary concerned from catastrophic event recovery projects and catastrophic event research projects conducted by the Secretary concerned under title I shall—

(1) be deposited in the special account established for that Secretary; and

(2) remain available, without further appropriation and until expended, for expenditure as provided in subsection (c).

(c) RESEARCH-RELATED USE OF SPECIAL ACCOUNTS.—The Secretary concerned shall use amounts in the special account established for that Secretary—

(1) to develop research protocols under section 101;

(2) to prepare and implement catastrophic event research projects; and

(3) to provide for monitoring under sections 104 and 105.

(d) RELATION TO OTHER FUNDS.—Amounts in the special account established for the Secretary concerned are in addition to other amounts available to that Secretary for the purposes described in subsection (c).

SEC. 403. OTHER FUNDING SOURCES.

(a) AVAILABILITY OF KNUTSON-VANDENBERG FUNDS.—Section 3 of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b), is amended—

(1) by striking “Such deposits shall be covered” and inserting the following:

“(b) Amounts deposited under subsection (a) shall be covered”;

(2) by inserting after “national park.” the following new sentence: “The Secretary of Agriculture may also use excess amounts to cover the costs of activities of the Secretary under title I of the Forest Emergency Recovery and Research Act.”; and

(3) in subsection (c)—

(A) in paragraph (1), by striking “and”;

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following new paragraph:

“(2) the excess amounts will not be needed for activities of the Secretary under title I of the Forest Emergency Recovery and Research Act during the fiscal year in which the transfer would be made; and”.

(b) AVAILABILITY OF FOREST SERVICE SALVAGE SALE FUNDS.—Section 14(h) of the National Forest Management Act of 1976 (16 U.S.C. 472a(h)) is amended—

(1) in the fourth sentence, by inserting after “the purposes for which deposited” the following: “and to cover the costs of activities of the Secretary under title I of the Forest Emergency Recovery and Research Act”; and

(2) in last proviso, by striking “for which deposited on any national forest” and inserting “for which deposits of money are available under this subsection”.

(c) AVAILABILITY OF BLM REVOLVING FUND DERIVED FROM DISPOSAL OF SALVAGE TIMBER.—The first paragraph under the headings “FOREST ECOSYSTEMS HEALTH AND RECOVERY” and “REVOLVING FUND, SPECIAL ACCOUNT” in title I of the Department of the Interior and Related Agencies Appropriations

Act, 1993 (Public Law 102-381; 106 Stat. 1376; 43 U.S.C. 1736a), is amended by adding at the end the following new sentence: “The money in this fund shall likewise be immediately available to cover the costs of activities of the Bureau of Land Management under title I of the Forest Emergency Recovery and Research Act.”.

SEC. 404. EFFECT OF DECLARATION OF MAJOR DISASTER OR EMERGENCY.

(a) AVAILABILITY OF FUNDS.—If an area of non-Federal land damaged by a catastrophic event is also covered by a declaration by the President under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191) that a major disaster or emergency exists, the Director of Federal Emergency Management Agency may use funds available for activities under that Act to reimburse the Secretary concerned for assistance in that area provided under—

(1) subtitle B of title II; or

(2) subsection (c) of section 10A of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106c), as added by section 201.

(b) LIMITATION.—Reimbursements under subsection (a) shall be limited to those activities authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122 et seq.) for which assistance under paragraph (1) or (2) of such subsection is provided.

The Acting CHAIRMAN. No amendment to that amendment shall be in order except those printed in House Report 109-467. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered read, debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question.

AMENDMENT NO. 1 OFFERED BY MR. RAHALL

Mr. RAHALL. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 printed in House Report 109-467 offered by Mr. RAHALL:

Strike section 103 (page 23, line 14, through page 24, line 9) and insert the following:

SEC. 103. COMPLIANCE WITH NATIONAL ENVIRONMENTAL POLICY ACT.

The Secretary concerned shall comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.), its implementing regulations, and other applicable laws in designing and conducting catastrophic event recovery projects and catastrophic event research projects.

Strike section 104(e) (page 26, line 3, through page 27, line 8).

Strike section 105(c) (page 30, line 1, through page 31, line 11).

The Acting CHAIRMAN. Pursuant to House Resolution 816, the gentleman from West Virginia (Mr. RAHALL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. RAHALL. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I would like to begin by observing that I strongly share the view of the gentleman from New Mex-

ico and our colleague, a very valued member of the Resources Committee, Mr. TOM UDALL, that the pending measure is totally unnecessary and seriously deficient and should not be approved by this body.

With that noted, the amendment I am offering is simple and it is straightforward. It would strike from H.R. 4200 its most egregious provisions which ride roughshod over the National Environmental Policy Act, the Endangered Species Act, the National Historic Preservation Act, and the Clean Water Act.

These unwarranted assaults on our Nation's premier conservation laws under the guise of enhancing forest management should be an embarrassment to this body, to this House of Representatives.

Should this body prove the pending measure, the result would be a weakening of existing law in the form of NEPA, a law that is meant to ensure public participation in actions by the Federal Government.

The American public is already in an uproar over this administration's penchant for surveillance of their phone conversations and e-mail transactions. Now we are going to say to American taxpayers that they cannot even participate in proposed Federal actions that directly affect them? What message is this sending?

Did George Orwell really have it right when he wrote the book, “1984” back in 1949, in which he penned and I quote, “If you want to picture the future, imagine a boot stamping on a human face, forever.”

I would note that the sponsor of the pending legislation, the gentleman from Oregon, is very passionate about this matter and I certainly respect that. Yesterday during the Rules Committee's consideration of this bill he described my amendment as one that would gut the bill. I, on the other hand, firmly believe that Americans cherish the Clean Water Act and do not want its application waived. I also believe that Americans believe they should have a say under the National Environmental Policy Act on major Federal actions impacting their lives. Obviously, the gentleman from Oregon and I have a very different view of America.

And the gulf which divides us on this issue makes for a very clear vote in the House of Representatives today on this amendment. The pending measure also constitutes a direct assault on the ESA. It legislatively directs that an incidental take permit be issued without limitation, no ifs, no ands, no buts about it, regardless of the impacts of the salvaging operation on endangered species. This is not fair play. This is draconian.

Finally, my amendment would strike provisions of the pending measure involving compliance with the National Historic Preservation Act. I would ask the question: Are we to sacrifice our country's past, our national heritage, on the altar of something like salvage logging?

Let us send the proper message to the people of this Nation today. Regardless of how Members view the remaining part of the pending measure, let us first vote to ensure that the public's right to participate in proposed Federal actions is preserved, and that our country's fundamental conservation laws will remain in place. I urge adoption of the amendment.

Madam Chairman, I reserve the balance of my time.

The Acting CHAIRMAN. Does any Member rise in opposition to the amendment?

Mr. WALDEN of Oregon. Why, Madam Chairman, indeed I do. I rise in opposition and seek the time.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. WALDEN of Oregon. I would like to take a moment to outline just how Forest Emergency Recovery and Research Act complies with the NEPA standards and often exceeds those standards.

The Forest Emergency Recovery and Research Act requires public notice, public collaboration, and an opportunity for the public to object to any proposed action. Read the bill: Pages 22, 23, 24, 25, 33, and 34. It is right there in black and white.

The judicial review requirement under this bill is identical to those in the Healthy Forest Restoration Act which Congress passed last year. See page 35. Now, we actually passed that a couple years ago, and I know my friend and colleague from West Virginia voted against it when it was in the House and voted against the conference report when it came back. So it is no surprise because he doesn't like this bill because he hated the Healthy Forest Restoration Act even after the Senate voice-voted it, as did my colleague from New Mexico, Mr. UDALL, opposed the Healthy Forest Restoration Act. So some of the same people who are here today saying we are going to do all these awful things said the same thing a couple years ago when we passed the Healthy Forest Restoration Act. Ironically, some of those same Members now say, oh, we are not fully implementing the Healthy Forest Restoration Act and we should be doing more on that. We wouldn't have it if they had been in charge because they voted against it every time they had an opportunity.

□ 1300

The Forest Emergency Recovery and Research Act also requires disclosure of the decision rationale, economic analysis, and analysis of the environmental effects of the project which leads to a very transparent agency process, page 32. We require independent, third-party, scientific peer review of recovery practices. See page 13 and page 24.

These are just a few examples of how this legislation complies with the intent of NEPA, and if the agency fails to comply with all these things, we pre-

scribe in the law they can be sued. If they fail to comply with the very laws that have been identified by my colleague, they can be sued.

These projects can be halted. We do not say do anything you want, notwithstanding any other Federal law, including all the ones you have heard listed repeatedly. Those laws still have to be complied with.

Currently there are bills that actually go further than where this bill goes. They would waive environmental documentation altogether. My friend and colleague, the gentleman from Colorado (Mr. UDALL), one of the most vocal critics of this legislation, has introduced H.R. 4875, which, through categorical exclusion, would waive environmental documentation completely for insect emergency areas in Colorado. We do not do that here.

I read where one of the opponents of this legislation worked on the sale in the Biscuit fire, and said we do not need this bill, we did 16 million boardfeet of harvest, and we did it using existing laws. Yeah, they used a categorical exclusion which you cannot even do now.

We have a balanced bill here. It involves the public. It tracks with what we did with the Healthy Forest Restoration Act to allow for free decisional appeals and for judicial appeal.

It is backed by all kinds of groups that love to be in the outdoors, the Bear Trust International, Boone and Crockett Club, the Bow Hunting Preservation Alliance, the Archery Trade, the Congressional Sportsmen Caucus, you go through it, people are out there enjoying the woods, the Rocky Mountain Elk Foundation, the Deer Management Association, and professional firefighters groups and the Society of American Foresters.

We are trying to give our Federal land managers the troops that our State and tribal land managers have, and we are trying to allow them to be able to move quicker and still involve the public because this Member of Congress believes fundamentally the public should have the right to appeal a decision of the government, and this bill allows that.

Mr. Chairman, I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

As I conclude, the bottom line here is whether we are for NEPA or whether we are against it, whether we are for the Clean Water Act or whether we are against it, whether we are for the historic preservation laws of our land or whether we are against them, whether we are for the Endangered Species Act or whether we are against it.

We have got to be for these premier preservation laws that have guided our country so well over many years. We cannot willy-nilly pick at the edges and try to exempt special-interest groups on every piece of legislation that the Republican leadership in this

body wants to consider. We cannot continue to do that or we will not have any of it.

Let us make that decision, whether we are going to have these laws or whether we are not going to have these laws.

This amendment is an effort to preserve NEPA and all of our premier conservation laws that have worked so well for our country and for our future generations. I would urge adoption of my amendment.

Mr. Chairman, I yield back my time.

Mr. WALDEN of Oregon. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Chairman, I thank the gentleman for yielding, especially under these time constraints.

On July 4, 1999, a powerful storm, 100-mile-an-hour winds, blew through the boundary waters canoe area of the Superior National Forest in my district, blew down 26 million trees over a huge area. The loss was estimated somewhere between \$12 million and \$18 million in timber value, but the problem was cleanup.

The State, the county all were able to get in and clean up their lands within weeks, but I had to take the supervisor of the Superior National Forest out here to Washington, meet with the Council on Environmental Quality, with the chairman of the appropriations subcommittee, gentleman from Ohio, and work things out laboriously; took us months to get that salvage operation by the Federal Government under way to protect the homes and residences and resorts outside the wilderness area along the Gunflint Trail to be protected against fire. This legislation will help us move that along.

Mr. Chairman, on July 4, 1999, a widespread convective windstorm called a "derecho" swept across the arrowhead region of northeastern Minnesota. The straight line winds reached 90 to 100 miles an hour, causing serious damage to nearly 600 square miles of forest in and around Minnesota's Boundary Waters Canoe Area Wilderness (BWCAW). The aftermath left 30 million toppled trees on the forest floor; in some areas the downed trees were stacked 10 and 12 feet high. This area approximately 30 miles long and 12 miles wide, or about a quarter million acres, was leveled. The timber loss was estimated at 500,000 to 750,000 million cords, valued between \$12 and \$18 million. The State of Minnesota estimated the cost of other damage and debris clearance for Lake and Cook counties at nearly \$5 million.

This powerful storm created near perfect conditions for a major forest fire. Only two questions remain: When will the major forest fire happen, and how destructive will it be? The blowdown quadrupled the amount of fuel per acre that can readily burn and the fire risk is expected to increase in the next several years as the timber continues to dry out.

Under H.R. 4200, the Forest Emergency Recovery and Research Act, an expedited review process will be established to provide our Federal land managers the resources they need to complete a quick, thorough evaluation of forest conditions after catastrophic events.

Wayne Brandt, Senior Vice President of Minnesota Forest Industries explained "after the blowdown, private landowners were cleaning up the next day. County lands were being cleaned up within a couple of weeks and State lands within a month." The U.S. Forest Service, even with the expedited procedures granted by the Council on Environmental Quality, was not ready to put timber up for sale until late fall. Nearly all private, county and State lands were salvaged by the winter of 2000/2001. The U.S. Forest Service, despite the extraordinary efforts of supervisor Jim Sanders and the staff of the Superior National Forest, found their hands tied for months.

Speed is of the utmost importance, especially with softwoods. Insect infestation begins to take its toll within a couple of weeks, rendering the material unusable for lumber and difficult for paper and Oriented Strand Board (OSB). Hardwoods, such as aspen, can last a bit longer if the trees still have root structure attached to the soil. In a number of instances, the hardwoods leafed out in 2000. However, any trees that were snapped off, were very soon unusable.

County and State land management agencies are able to react almost immediately to natural catastrophes because these agencies are allowed to acknowledge the reality that the condition of the forest that they manage has been completely changed. Guidelines normally appealed to mitigate possible negative impacts of land management activities are often not realistic when the forestry resource has been drastically altered. The Forest Service has been kept from doing its job by restrictions that should not apply in the aftermath of a natural catastrophic event.

The Minnesota Department of Natural Resources has documented that downed wood can act as a breeding ground for insect infestations and disease, making the material prime for fire. After a few years, the blowdown will greatly increase the fuel load and potential for fire hazard; worse, left as is, the blowdown timber will hinder regeneration for many years. Access through these areas is impossible without clearing.

My good friend, Harry Fisher, owner of Northshore Business Products on the Gunflint Trail, had several active timber sales in the Superior National Forest prior to the 1999 Blowdown. Because of the lengthy NEPA process, Mr. Fisher waited 6 months for these prior timber sales to be approved. Although the NEPA process had been complete on these original sales, Mr. Fisher had to wait an additional 6 months for expanded sales to recover the salvage. Unfortunately, the process to salvage the timber had taken its toll on his crews. It was no longer worth the return. Had H.R. 4200 been in place in 1999, some 30,000–40,000 cords of wood could have been salvaged in the Superior National Forest. Instead, Harry's crew was only able to recover 20,000 cords of wood—Less than half.

The current process makes for bad forest management. It increases the risk for forest fire and insect infestation, and puts homes, businesses and human lives in danger.

Immediately after the Blowdown, many people across the State of Minnesota approached me to ask: "Why aren't we going into the National Forest to recover this timber?" The environmental community was concerned about insect infestation and forest fire in the boundary Waters Canoe Area. These two often com-

peting interests were coming together for the purpose of best forest management. The answer to their question is: The process of salvaging timber in a National Forest has become too cumbersome.

The U.S. Forest Service process has too many steps and is not efficient when confronting a disaster such as the 1999 blowdown in the Superior National Forest. The U.S. Forest Service staff on the Superior National Forest were nearly heroic in responding to the blowdown, putting in 7-day work weeks of creative effort to address both environmental and good forestry practice concerns, invoke every available emergency clause to accelerate the cleanup process, producing an EIS in record time. Unfortunately, they were confronted by a plethora of obstacles. The laws in place prevent Forest Service personnel from being professional foresters, rather, they have become surrogate lawyers making sure that their proposed timber sales are "bullet proof" from possible litigation.

The Forest Emergency Recovery and Research Act, H.R. 4200, requires an expedited National Environmental Policy Act procedural review and complies fully with all other environmental laws, including the 1964 Wilderness Act and the Endangered Species Act of 1973. This law still secures the public's right to appeal and litigate Federal forest recovery projects. H.R. 4200 requires that funds from the removal of trees during recovery projects be used to help repair the catastrophic damage to our Federal forests, in turn, offsetting the cost of critical watershed and wildlife habitat restoration.

Federal Foresters can get the job done if they are allowed to assess the condition of the forest immediately after a natural catastrophic event, protect known special resources and salvage affected merchantable timber as soon as possible.

Blowdown events are not unusual in Northeastern Minnesota. The 1999 blowdown created the potential for extreme fire danger conditions throughout the affected area with the potential to threaten lives within and life and property outside the BWCAW. So far, Mother Nature has given residents and resorters along the Gunflint Trail a respite with favorable weather. The ability to expedite Forest Service response time will benefit local communities and economies, improve access for recreational users and most importantly, greatly improve forest health which benefits everyone.

I urge my colleagues to join me in supporting H.R. 4200, the Forest Emergency Recovery and Research Act.

The Acting CHAIRMAN (Mr. MCHUGH). The time of the gentleman from Oregon (Mr. WALDEN) has expired. The question is on the amendment offered by the gentleman from West Virginia (Mr. RAHALL).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. RAHALL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from West Virginia will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. DEFAZIO

Mr. DEFAZIO. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 printed in House Report 109-467 offered by Mr. DEFAZIO:

Strike section 104 (page 24, line 10, through page 28, line 14) and insert the following new section:

SEC. 104. PRE-EVENT MANAGEMENT PLANS.

(a) PLAN AMENDMENT.—For Federal land where timber harvest is allowed, but not the primary management objective, the Secretary concerned shall amend the land and resource management plan or land use plan applicable to the land to pre-plan for certain activities to immediately follow a fire or other catastrophic event. The activities shall be specific to forest type and plant association group, and be appropriate to the management objectives for area described in the plan. The Secretary concerned shall initiate plan amendments with priority to areas at the greatest risk of a catastrophic event and with the most suitability for post-event activities. Managers using this pre-planning authority shall conduct environmental analysis in accordance with 36 C.F.R. 219 et seq. and 40 C.F.R. 1500 et seq.

(b) PEER REVIEW.—Before an activity, or collection of activities, may be adopted as an amendment to a land and resource management plan or land use plan, the activity or activities shall be subject to independent, third-party peer review by scientific and land management experts. The results of the peer review shall be available to the public no later than the availability of the draft plan revision.

(c) EXPEDITED REVIEW.—The Secretary concerned may use the procedures provided in section 104 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6514; Public Law 108-148) to implement activities adopted as part of the amendment of a land and resource management plan or land use plan according to subsections (a) and (b). If environmental documentation is conducted under this authority, then the administrative and judicial appeals process described in sections 105 and 106 of such Act (16 U.S.C. 6515, 6516) shall apply.

Add at the end of the bill the following new section:

SEC. 405. LIMITATION ON APPLICATION OF ACT.

In the case of Federal land covered by this Act, the Secretary concerned shall use the authorities provided for in this Act only on those Federal lands that—

- (1) are designated as general forest areas available for timber production; and
- (2) are not otherwise reserved or managed for non-timber production values.

The Acting CHAIRMAN. Pursuant to House Resolution 816, the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from Oregon (Mr. WALDEN) each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

I agree with much of what I have heard. Unfortunately, I do not believe that the bill gets us in that direction. As I said earlier, giving unbridled discretion to political appointees may sit well with this administration and some supporters in the industry, but it does not bode well for long-term management of the forests.

So I looked at this and said, well, there is a way to fix that, and that would be to say in areas that are designated for timber management, you

can use the expedited procedure since that is the plan objective, and in areas that are not intended for that, you would use normal procedures, which does not preclude salvage. It just means a little bit more evaluation of the work until such a time as you had anticipated catastrophic events and amended the forest plans.

Now, the Forest Service objects that it would take time, would have to involve the public to amend the forest plans, but the thing is the experts, the scientists, say that is the only way to get there. They say you cannot have a peer-reviewed list of preapproved practices that are not site-specific and are not specific to the management goals of the forest.

In fact, the dean of the Oregon College of Forestry Hal Salwasser, Jerry Franklin and Norman Johnson, from Oregon State, said here, "Management objectives for the area in question are the primary consideration in any decision regarding postfire logging, reforestation, or any other activities." He said that "those goals, together with information on the forest type, or plan association group, postevent conditions in disturbed areas, and future climate trends will largely determine what actions, if any, are appropriate. If management plan direction is not clear," and it is not, most plans do not have a salvage provision in them, "for appropriate actions following large disturbance events, plan revisions should provide such clarity. Major disturbances should not be the basis for de facto changes in land allocations or management objectives," which is what this bill does.

So the preeminent scientist invited by the chairman to a hearing confirmed that.

I am offering what I think would be a perfecting amendment. It would open up millions of acres to expedited procedures. It would allow the Forest Service to then amend their plan so in the future they could apply with certainty preapproved practices, not with discretion, and greatly expedite future salvage under those conditions.

In the meantime they could use regular procedures, and I pointed out earlier, on the Biscuit fire, that could have yielded 175 million boardfeet, but, because of political intervention, yielded about 75 million boardfeet of harvest.

Mr. Chairman, I reserve the balance of my time.

Mr. WALDEN of Oregon. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I appreciate the comments of my colleague and friend from southern Oregon, and we have tried to come together on this legislation, and we have not quite gotten there yet, but I have to rise in opposition to his amendment.

The term "timber production land" means different things when discussing different forests. Even in the broadest sense, land where timber is the pri-

mary objective has been steadily decreasing, reflecting a shifting focus on timber production to using harvest for other purposes, such as wildlife habitat, hazardous fuels reduction or forest health.

For example, in Oregon there are 32 million acres of BLM and national forestlands. Less than 20 percent is designated for timber production. In the State of California, of the 12 national forests in the Sierra framework, totaling over 11 million acres, only 1 percent is designated as timber production land.

These figures illustrate just what a devastating effect the amendment would have. It would be very, very restrictive, guaranteeing only a very small portion of the Nation's forests would have proper recovery efforts in the event of a catastrophe. Obviously, a quicker review and recovery is necessary than what this amendment would allow at this point.

Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. EVERETT).

Mr. EVERETT. Mr. Chairman, I rise in strong opposition to the gentleman's amendment. In the case of the Conecuh National Forest in Alabama, the amendment could leave areas designated as potential old growth subject to increased fire and insect risk.

Our revised forest plan identifies 60,000 acres as potential old growth sites. Half of these acres in this designation are suitable for harvest. Half of them are not designated as suitable. So this amendment would prohibit the application of H.R. 4200 in these areas.

In our forests, scenic river designations, cultural areas, and scenic areas are all considered unsuitable for timber production; yet harvest may be allowed to provide certain habitats, demonstrate cultural heritage or provide vistas.

This amendment would leave these areas untouched by restoration efforts. This situation could damage the very trees it is allegedly intended to save. Again, this is why this bill provides flexibility while requiring compliance with forest plans.

This amendment was defeated on a bipartisan basis in the committee, and it should be defeated on a bipartisan basis on the floor today. This is not a good amendment.

Mr. DEFAZIO. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I was detained in committee on a markup during general debate, and I want to rise in support of the DeFazio amendment and against the underlying legislation.

I believe that the rationale for this legislation simply does not exist. There is no evidence that existing authorities are inadequate.

The Forest Service and the Bureau of Land Management already have many existing authorities for timber salvage, including the Healthy Forest Restoration Act.

For situations involving threats to life and property, the Forest Service and Bureau of Land Management can request alternative arrangements with the Council on Environmental Quality, and to date I do not believe that one Forest Service request has been denied.

I think the DeFazio amendment is improving the legislation.

The sponsors' underlying rationale for this legislation is that there is a dire need for environmental exemptions for timber salvage on Federal lands following a catastrophic event.

But there's no evidence that existing authorities are inadequate.

The Forest Service and Bureau of Land Management already have many existing authorities for timber salvage, including the Healthy Forests Restoration Act of 2003.

In 2005, 35 percent of the logging volume on our National Forests came from timber salvage—all completed with existing authorities.

The Forest Service is quickly completing one of the largest timber salvage projects in history, 676 million board feet, for those National Forests on the gulf coast impacted by Hurricane Katrina in 2005.

For situations involving threats to life and property, the Forest Service and Bureau of Land Management may request alternative arrangements with the Council on Environmental Quality, and to date not one Forest Service request has been denied.

If Congress approves H.R. 4200, roads will be built in inventoried roadless areas, even though the existing road maintenance backlog is large and growing.

Ironically, H.R. 4200 will also divert resources from wildfire prevention. Over 11,000 communities around the country are at high risk for wildfire. There's an urgent need to treat the neighboring forests to reduce the danger. And there are similar conditions across the Country.

But instead of focusing on this elevated threat, H.R. 4200 would emphasize putting limited resources on post-fire timber sales, even in areas far from communities. To make things worse, there is a serious chance these salvage operations could actually increase the risk of new fires.

The bottom line is that H.R. 4200 is worse than unnecessary—it's counterproductive.

Mr. WALDEN of Oregon. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. BAIRD), my friend and colleague, the coauthor of this legislation.

Mr. BAIRD. Mr. Chairman, I want to commend both gentlemen from Oregon. Both at least recognize that there is an issue here, that there is a reason to use the wood after a fire. There are two concerns I would just have about my friend Mr. DEFAZIO.

First of all, he cites Dean Salwasser from Oregon State University. For the record, it should show that the dean has actually endorsed this legislation. So we recognize that the land allocation values are critical.

There is a paradox in the gentleman from Oregon's (Mr. DEFAZIO) legislation in that because other States do not necessarily designate so much land as for the primary purpose for harvest, you could actually have a paradoxical situation where burned trees end up

getting more protection than live trees, which I do not think is the gentleman's intent.

Finally, the gentleman points out that this bill does leave discretion to local land managers. We think that is a plus. You cannot legislatively legislate certainty. You cannot do it. Circumstances on the ground will change.

The bill provides sufficient flexibility for the local land managers to make the needed decisions while giving broad enough structure that those decisions occur within certain parameters, parameters like watershed protection, et cetera.

For that reason, I urge rejection of this amendment.

□ 1315

Mr. DEFAZIO. Well, Dean Salwasser does support the thrust of the legislation, but he also supports my amendment as a perfecting amendment, and I read previously from joint testimony of Dr. Salwasser, Dean Salwasser, Dr. Franklin, and Dr. Johnson.

That is the key here, is I believe that there is a reason, unlike some of the others, as the chairman pointed out, I did support the Healthy Forest Restoration Act. The Healthy Forest Restoration Act was used for much of the post-Katrina recovery with little or no controversy, and I believe that these tools can be valuable. But we also have to relate back to the forests themselves.

As the experts said in their testimony, and I asked them, how could you establish a list of peer-reviewed, preapproved practices? They said, you can't unless you were considering site-specific, class-specific application. You can't possibly do that. There is no generic way of doing that. So my amendment would, I believe, further the objectives of the authors of the bill and remove some uncertainty, because it is not clear from their testimony how you are ever going to get together this list.

And if the alternative to the list is to go to the CEQ, the Chief of the Forest Service said he didn't want to go there. He used HFRA instead, which is another proposal I put forward, which is why not just use, since we are all familiar with, there is still some controversy, but I think very little, attached to HFRA and its application, why not apply HFRA procedures to the problems in postcatastrophic events? But that was not deemed to be adequate for some reason, and now we have an entirely new construct which I believe has some need for perfecting amendments.

And that is why I am offering my amendment, and I would recommend it to my colleagues.

I yield back the balance of my time.

Mr. WALDEN of Oregon. Mr. Chairman, I would just comment to my colleague from Oregon that we looked at using the HFRA procedures, and they are just not fast enough. When you have a catastrophe, an emergency, the

agency has testified before our committee that the Chief of the Forest Service has said, yes, I was able to use the Healthy Forest Restoration Act procedures even in Katrina because the trees were on the ground, and they posed a fire threat. I said, why can't you use those then when a forest is burned when the trees are still standing? He said it is a different threat.

He also said that had he had this, and he wants this authority, by the way, and had he had it, he would have been able to move quicker. And that is really the underlying issue here is the ability to move without upending any of the environmental laws, but move quicker procedurally. The public still has a right to input; the public still has the right to object and appeal and to stop a project if a law is being violated.

Finally, I would just conclude regarding this amendment that, indeed, it is so proscriptive that very few forests would be able to take advantage of the underlying legislation. Again, only about 1 percent the Sierra framework forest in California, most of the Southeast forests would be excluded, and actually very few in the Northwest.

So I hope my colleague from Oregon, my friend, and I can continue to work on this legislation as it moves forward to find common ground, but we think we have found pretty good balance right here, the Republicans and Democrats that are cosponsoring this bill and have worked now on the 50th draft to work out all the issues before bringing it to the Committee of the Whole for its consideration. So I urge opposition to the DeFazio amendment.

The Acting CHAIRMAN (Mr. MCHUGH). All time having expired, the question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The question was taken; and the Acting Chairman announced that the yeas appeared to have it.

Mr. DEFAZIO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. INSLEE

Mr. INSLEE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 printed in House Report 109-467 offered by Mr. INSLEE:

Add at the end the following new section:

SEC. 405. EXCLUSION OF INVENTORIED ROADLESS AREAS.

This Act shall not apply to any inventoried roadless area within the National Forest System set forth in the maps contained in the Forest Service Roadless Area Conservation, Final Environmental Impact Statement, Volume 2, dated November 2000.

The Acting CHAIRMAN. Pursuant to House Resolution 816, the gentleman from Washington (Mr. INSLEE) and the

gentleman from Oregon (Mr. WALDEN) each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. INSLEE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment, simply put, will fix a problem with this legislation that otherwise would allow a giant loophole in our rule that now we have been fighting to maintain for some period of time to protect our roadless areas in our national forests. These roadless areas are the most pristine areas of the national forests. We have made a decision, 96 percent of Americans who have commented on the roadless areas have concluded that they want these areas managed for the clean water they provide, the recreation they provide, the aesthetics they provide rather than timber harvest through log road building.

My amendment would essentially say that we are not going to tax, we are not going to subsidize log road building anymore in these roadless areas. There are three reasons we need to do this, and they are two fiscal and one environmental. I will address first the two fiscal reasons we need to adopt this amendment.

First, this Chamber went on record in an amendment some time ago that said we are going to stop subsidizing roads with taxpayer dollars. And we essentially are going to stop, by this amendment, stop subsidizing logging roads in some of our steeper areas. These roadless areas are commonly found in our steeper, higher elevations. They are at the tops of our mountains, and they are the most expensive places to build logging roads. They are the places where the taxpayers get soaked the most in our subsidization programs.

We would say essentially that you cannot use this legislation, in our amendment, to continue that log road-building program which ends up putting the tab on the American taxpayer. This is a fiscal reason.

The second fiscal reason is it makes no sense now, it makes no sense to make a misprioritization from, instead of doing the \$10 billion of backlog we already have to repair and maintain our existing mileage, enough to, I think it is 336,000 miles of existing roads, with a \$10 billion backlog already. Uncle Sam already has a \$10 billion commitment to get those roads and keep them from washing out. Eighty percent of these roads are not even fit. You cannot even drive your car on them.

Instead of letting people get recreational value, to drive and go up to go hunting and go fishing and take your kids on a picnic by the creek, 80 percent of these roads are falling apart. Instead of taking care of their interests, this bill would subsidize the logging industry to go in and log as a priority. Now, they have tried to fix this problem, saying these will be temporary roads. There is no such thing as

a temporary road. We have 60,000 miles of roads that should have been decommissioned already but aren't.

So there are two sound fiscal reasons to adopt this amendment, but the third is an environmental reason. We depend on these roadless areas, the Kettle River Range in Washington, the Eagle Cap roadless area in Washington, we depend on them for clean water. We depend on them for habitat. And the fact of the matter is when you build a road into a roadless area, you double the chance of fire. And that, as a science, is well proven. You may get some timber out, but you double the chance of fire, and you increase areas of road that can erode and silt our streams.

So two fiscal reasons and one environmental reason that commends this.

Mr. Chairman, I reserve the balance of my time.

Mr. WALDEN of Oregon. Mr. Chairman, I yield myself such time as I may consume.

I am trying to figure out the gentleman's arguments, because I have here the Congressional Budget Office cost estimate for the Forest Emergency Recovery and Research Act, and it talks about how if H.R. 4200 would pass, it would increase proceeds from salvage sales on average by 40 percent. Assuming the agencies would phase in the use of the new procedures over several years, we estimate increased receipts would begin in 2008 and total \$122 million over the 2008 through 2016 period.

Now, they go through and have a bunch of other numbers they work through on what would be offset, but the long and short of it is that over the next 7 years, it is something like \$21 million additional to the Treasury simply by eliminating the bureaucratic red tape that delays the projects until the trees have no value.

So the fiscally prudent argument here is to follow the only number sheet I can find, the Congressional Budget Office report, where the experts have evaluated the bill independently of any politics and said this bill makes money, and it makes sense.

Now, let us go to the bill. On page 25 of the manager's amendment, it talks about this issue of roadless. We were sensitive to this issue. We addressed this issue. And it requires that any preapproved management practice may not authorize any permanent road building, and any temporary road constructed as part of a preapproved management practice shall be obliterated upon conclusion of the practice and the road area restored to the extent practicable.

Now, some people will say, well, that is just in the statute. That is just in the law. They don't do it now, they won't do it then, whatever. They will make it up. The contracts also require this. The contracts written by the Forest Service that are entered into as a legal, binding document will require a bond, will require obliteration. They work all that out there, but the statute backs it up and says obliterate the

temporary roads. So it is all part of the management practice that would go on, and it is codified here in the statute.

So I just am not quite sure where the gentleman is going with all this. The new roadless rule allows each of the 38 States with roadless areas to participate in the development of their own State's specific plan. A lot of these States are undergoing that now, and we should let them have that local authority to help guide the Federal Government in that planning.

Simply put, if a forest plan prohibits road building in an area, then this legislation prohibits that, because the underlying forest plans are what dictates what happens. Roadless stays roadless. H.R. 4200 will not create any new permanent roads. The only roads allowed are temporary roads, which must be removed after completion of the project. It is in the statute we propose that the Congress pass.

So we have put it in statute. I am sure it is also in the contracts that get negotiated, and we have been very clear on this. So I would urge opposition to the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. INSLEE. Mr. Chairman, there are two problems. One, although I respect the drafters of this bill, the bill does not respect the clearly expressed sentiment of the American people, because 96 percent of the American people said don't build roads; temporary, permanent, transitory, big, small, little. Ninety-six percent of the Americans who expressed their opinion on this issue said don't do what this bill does, which allows building roads in these designated roadless areas.

This ignores the clearly expressed intention of the people, and that ought to be enough in itself to endorse this particular amendment.

Now, I come back to when you look at these roadless areas, they have value that is not in this accounting, which is to keep the silt out of our streams. I respect that we might put a line in a book somewhere that will be over in the Library of Congress that says, presto change-o, these are all going to be "temporary." There is also a line in a book over in the Library of Congress that says 60,000 miles that have been out there for decades are "temporary." In real life, this guts roadless area rules. We need this amendment if this bill is going to pass.

Mr. Chairman, I reserve the balance of my time.

The Acting CHAIRMAN. The time of the gentleman has expired.

Mr. WALDEN of Oregon. Mr. Chairman, I yield myself 30 seconds, and I understand I have 2 minutes remaining.

I just want to say that this bill grants no new authority to build roads anywhere, anytime. To say so is to make it up. It is that simple. It does not say go build roads anywhere, anytime. That is not a new authority in this bill.

Mr. Chairman, I yield the balance of my time to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Chairman, I'll just make two quick points. It is a red herring, to say the least, to say that this is about giving President Bush or the Bush administration control over our Federal forests.

Max Peterson was the former Chief of the Forest Service under a Democratic President, President Carter. This is what Max Peterson said about this bill: "The Forest Emergency Recovery and Research Act allows trained forest managers to act in accordance with carefully developed forest plans, ending compliance with environmental laws to best restore, protect, and enhance the health of our Federal forests. The legislation deserves favorable action by the House and the Senate and approval by the President." That is not a Bush appointee, it is a Carter appointee, a Democrat.

Let me also address this issue of 96 percent of Americans seeming to oppose the road element of this bill. That is specious. Ninety-six percent of the American public did not say this. If there has been a catastrophic fire and you could use the wood responsibly, and roads in would be built and paid for by the people pulling out the wood, and they would be immediately decommissioned so that no permanent road would remain, how do you feel about that?

That is not what they said. Essentially I think they were saying in a healthy green forest, unimpacted by fire, should we keep the roads out? Yeah. But that is a different question. It is apples and oranges.

We are talking about a situation where you have had a catastrophic event, where you would try to get the wood out. And I really want to underscore this. This is not some additional tax on the taxpayers. The people extracting the wood would be required to post a bond, a bond saying they will pay for the removal of these roads. If they renege on that bond, they not only have to pay a penalty, but they also become ineligible for future harvests, so the taxpayers are not left holding this bag.

Mr. RAHALL. Mr. Chairman, I would like to join my colleague, Mr. INSLEE, in supporting this amendment to exclude inventoried roadless areas from HR 4200.

The public has proven its commitment to protecting inventoried roadless areas. The Forest Service has received 1.6 million public comments about the roadless rule, and over 95 percent of those comments favor protecting roadless areas.

Inventoried roadless areas represent 58.5 million acres of wild roadless areas in our National Forests in 39 states. In my home state of West Virginia, we have 202,000 acres of roadless areas. These last remaining wild forests protect our water, sustain our wildlife, and provide for an array of recreational opportunities for Americans.

This amendment is critical to ensuring protection of our most treasured areas in our National Forests. Without this amendment, logging roads for timber salvage operations will be built in inventoried roadless areas.

While bill proponents claim these roads could be temporary and obliterated upon completion of the project, one only needs to look to the Forest Service's current road maintenance backlog, which rings in at \$10 billion, to see where this road leads.

I support this amendment and I urge my colleagues to adopt it.

□ 1330

The Acting CHAIRMAN (Mr. McHUGH). The question is on the amendment offered by the gentleman from Washington (Mr. INSLEE).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. INSLEE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Washington will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. UDALL OF NEW MEXICO

Mr. UDALL of New Mexico. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 printed in House Report 109-467 offered by Mr. UDALL of New Mexico:

At the end of section 102(e) (page 21, after line 15), add the following new paragraph:

(4) CONSIDERATION OF FIRE RISK AND REGENERATION.—In making any determination under paragraph (1) to implement any pre-approved management practice under section 104 or to develop and carry out a catastrophic event recovery project or catastrophic event research project, or portion of such a project, using emergency procedures under section 105, the Secretary concerned—

(A) shall consider the effect of the practice or project on fire risk and forest regeneration; and

(B) may not implement the practice or carry out the project unless the Secretary certifies that the practice or project will not increase fire-risk or decrease forest regeneration.

The Acting CHAIRMAN. Pursuant to House Resolution 816, the gentleman from New Mexico (Mr. UDALL) and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. UDALL of New Mexico. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment will require the Secretary concerned to certify that a catastrophic event recovery project will not decrease forest regeneration or increase forest fire risk.

This amendment is very important considering the results of a peer-reviewed study recently published in the respected journal *Science* by Donato and others from Oregon State University. This study concluded that logging in the wake of the 2002 Biscuit fire de-

creased forest regeneration by 71 percent and increased short-term fire risk.

Unfortunately, this peer-reviewed study came under attack from those who disagreed with its conclusions. Even the Bureau of Land Management threatened to withdraw funding for the study. This was very unfortunate and I believe yet another attempt to silence science.

The vast majority of peer-reviewed science on salvage logging to date demonstrates that salvage logging is contrary to the goal of improving forest health. In fact, 169 scientists from around the country submitted a letter to Congress expressing their opposition to H.R. 4200. Disappointingly, H.R. 4200 ignores this body of science on the harmful impacts of salvage logging, including its potential to increase forest-fire risk and decrease forest regeneration. This amendment attempts to incorporate some of the science into the underlying bill.

In the Southwest, we are facing what is predicted to be a record fire season. Even firefighters are opposed to H.R. 4200 because it could greatly increase fire risk to our communities. The group Firefighters United for Safety, Ethics and Ecology, an organization of current, former, and retired firefighters, opposes H.R. 4200.

The practices authorized under H.R. 4200 should not increase the risk of fire to our national forests and nearby communities. Nor should H.R. 4200 impede seedling regeneration of our national forests.

I urge my colleagues to adopt this amendment.

I reserve the balance of my time.

The Acting CHAIRMAN. Does any Member rise in opposition to the amendment?

Mr. WALDEN of Oregon. Indeed, Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. WALDEN of Oregon. Again, Mr. Chairman, let me say that the national organizations that represent the men and women who put their lives on the line to put out fires support this legislation. The national organizations, the Fire Chiefs International, the Forest Firefighters folks, support this legislation because they know what it will do and how important it is.

The Udall amendment may sound plausible, may sound reasonable, and it is neither. The Udall amendment is based on the theory that salvage increases fire risk. Wildfire fighting associations representing over 12,000 firefighters disagree.

This amendment also requires that no practice may be carried out unless the Secretary certifies the practice or project will not increase fire risk or decrease forest regeneration.

Now, if you haven't been involved in this discussion like we have in nine hearings and 50 drafts, you would think, well, that sounds reasonable. We wouldn't want to do anything that

would increase fire risk or maybe decrease regeneration.

Well, let me give you an example of what happens in the real world. Imagine the following scenario: Logging creates logging slash. Under contractual agreements it must be cleaned up, often within 30 days. The agency could get sued because of the increased fire risk that exists during that 30-day period.

To do a recovery after a hurricane, the Forest Service proposes a salvage sale to capture value, remove hazardous fuels and plant a mix of willow species and riparian areas and mixed conifers on the drier sites. A lawsuit could be filed saying the agency hasn't proven that one seedling that survived that fire or that hurricane would be affected. So otherwise they can get you coming and going. You can't prove that an action in the forest will not have any effect. If you go hiking in the forest, you could step on a seedling.

And I am going to tell you, if you do a project in the forest you are going to have an effect. That is why our legislation requires mitigation and minimalization.

I reserve the balance of my time.

Mr. UDALL of New Mexico. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Chairman, it is difficult to understand how anyone would oppose an amendment that simply says the administration should have what is not too onerous a burden, to certify that under the best available science this is not going to degrade that which we are trying to achieve, which is forest regeneration and suppression of fire. Is that asking too much of the Bush administration, to simply say if you are going to have a program, that you will tell the American people that it won't make things worse? We don't think that is asking too much.

And there is a point during this debate I think needs to be made, and that is that when there is a fire, it is a human instinct to get in there and want to fix things. We are fixers. We believe that we are the smarter species on the planet.

But if you look at the beautiful forests we have, if you look at the Eagle CAP wilderness, the Kettle River range in Washington State, you look at our national forests and you look at those forests, those forests are there without the intervention of President George Bush. They have evolved over decades and centuries and eons, and they are beautiful and they are healthy and they give us picnics for our kids, fishing and hunting for our cousins and our families, and clean water to drink, without the administration of George Bush going in with their chain saws and deciding what they decide to cut.

Now, given that historical fact that these forests have done very, very well without us for tens of thousands of

years, we don't think it is too much to ask that before President Bush gets out his chain saw, that he is required to certify, in the best available science, this won't make things worse.

Now I understand why they object to it, because they object to the science and the Donato study in the Science magazine from Oregon State University, they objected to it. They didn't like it. It didn't fit their political preconceptions so they put it on ice, put it on review, canceled it. Use whatever language you want.

We are saying that the science needs to be asked to be listened to, just like the American people should be. This is a commonsense amendment. I commend Mr. UDALL.

Mr. WALDEN of Oregon. Mr. Chairman, I yield myself 30 seconds.

One of the issues here with the amendment is there no specified time period. There is no specified landscape. It is wide open.

Does this mean anytime, anywhere in the forest you might step on a seedling, then, boom, you are going to get sued?

As for Mr. Donato, let us be forthright about this. The BLM did suspend the funding while they responded to allegations they hadn't followed the rules. When they got the answers, they were satisfied with them and the funding continued and the research continues. And even Mr. Donato said, don't overinterpret my findings.

I yield 2 minutes to my colleague from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Chairman, two things. I have spent a fair bit of time studying that. It is distressing that my friend from New Mexico, who requested a congressional hearing, was not able to answer a direct question earlier about whether or not the Donato study studied the fire 2 years post-logging or immediately post-logging. It was 2 years post, my friends. And it is irrelevant to the bill at hand.

This amendment by Mr. UDALL is something that, if you like to go camping in the woods with your family, you better not support this amendment because you would have a hard time having the Secretary of the Interior certify that building a camp fire in a national forest campground does not in some way increase the risks of forest fires.

If we are going to apply this standard to everything that happens, that in no way must any action possibly increase the risk of fire or impact natural regeneration, we are going to paralyze the woods. We are not going to go camping. We are not going to drive motorized vehicles on forest service roads, we are not going to do anything. And in fact, Mr. UDALL, we are not going to cut live trees either. And isn't that really the agenda, to stop all harvest on the Federal lands, live trees, burned trees, blowdown trees, drive that harvest to the rainforests, drive that harvest to the Russian Taiga, all in the name of environmental protection? That is not responsible environmental policy.

The legislation before us is good policy. This amendment is not. This amendment should be rejected out of hand.

Mr. WALDEN of Oregon. Mr. Chairman, I reserve the balance of my time.

Mr. UDALL of New Mexico. Mr. Chairman, I am just going to close at this point, so I reserve my time.

The Acting CHAIRMAN. Both sides have 30 seconds remaining. The gentleman from Oregon may reserve the balance of his time to close. The gentleman from New Mexico has 30 seconds remaining and is recognized.

Mr. UDALL of New Mexico. Mr. Chairman, there are ecologically sound ways to do salvage logging. This amendment assures that the science is followed. All we are asking is that the Secretary, in approving one of these projects, certify it will not increase forest-fire risk, and will not decrease forest regeneration.

I urge my colleagues to support the amendment.

I yield back any remaining time.

Mr. WALDEN of Oregon. Mr. Chairman, I urge opposition to the amendment.

I yield the balance of the time to the chairman of the full Resources Committee, Mr. POMBO.

The Acting CHAIRMAN. The gentleman from California is recognized for 30 seconds.

Mr. POMBO. Mr. Chairman, I thank the gentleman for yielding, and I just wanted to congratulate the chairman of the subcommittee, Mr. WALDEN, for the fantastic job he has done. And I especially want to thank Mr. BAIRD for the work that he has put into this.

This was an effort to bridge across party lines, across different ideologies in order to produce a bill that is better for the environment, better for the communities and better for our entire country, and I thank them for all of the work that they have put into this in working together to produce the kind of legislation that this House can be proud of, because this is the kind of bipartisan effort that produces the kind of legislation that this country deserves. So congratulations to both of you.

Mr. RAHALL. Mr. Chairman, I would like to voice my support for the gentleman from New Mexico's amendment.

This amendment corrects some of the fuzzy vision contained in H.R. 4200 while ensuring that we do not turn a blind eye to the science on salvage logging.

A recent peer-reviewed study out of Oregon State University, published in the highly respected journal Science, found that salvage logging, after the 2002 Biscuit fire destroyed more than two-thirds of the seedlings that were beginning to regenerate the burned forest. That operation effectively increased short-term fire risks.

The Oregon State study is far from the only scientific voice being raised about the effects of salvage logging. Over and over again we have heard from forest ecology scientists about the increased risk of fire and the harm that salvage logging imposes on new and developing trees.

This amendment simply ensures that the Secretary will not carry out a project that will increase fire risk or decrease forest regeneration. We should not be promoting salvage logging that promotes fires and puts forest communities at risk.

I urge the adoption of the Udall Amendment. The Acting CHAIRMAN. All time having expired, the question is on the amendment offered by the gentleman from New Mexico (Mr. UDALL).

The question was taken; and the Acting Chairman announced that the yeas appeared to have it.

Mr. UDALL of New Mexico. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Mexico will be postponed.

Mr. WALDEN of Oregon. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PUTNAM) having assumed the chair, Mr. MCHUGH, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4200) to improve the ability of the Secretary of Agriculture and the Secretary of the Interior to promptly implement recovery treatments in response to catastrophic events affecting Federal lands under their jurisdiction, including the removal of dead and damaged trees and the implementation of reforestation treatments, to support the recovery of non-Federal lands damaged by catastrophic events, to revitalize Forest Service experimental forests, and for other purposes, had come to no resolution thereon.

□ 1345

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. PUTNAM. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 815 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 815

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of May 17, 2006: (1) providing for consideration of the concurrent resolution (H. Con. Res. 376) establishing the congressional budget for the United States Government for fiscal year 2007 and setting forth appropriate budgetary levels for fiscal years 2008 through 2011; or (2) addressing budget enforcement or priorities.

The SPEAKER pro tempore (Mr. MCHUGH). The gentleman from Florida (Mr. PUTNAM) is recognized for 1 hour.

Mr. PUTNAM. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman

from Massachusetts (Mr. McGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. PUTNAM asked and was given permission to revise and extend his remarks.)

Mr. PUTNAM. Mr. Speaker, House Resolution 815 is a same-day rule that waives clause 6(a) of rule XIII, which requires a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee against certain resolutions reported from the Rules Committee. It applies the waiver to any resolution reported on the legislative day of May 17, 2006, providing for consideration of the concurrent resolution, H. Con. Res. 376, establishing the congressional budget for the United States Government for fiscal year 2007 and setting forth appropriate budgetary levels for fiscal years 2008 through 2011.

Mr. Speaker, it is imperative that we pass this same-day rule. This resolution will prepare the ground so that the House may complete its business and pass a budget resolution. We are working to moving this process along toward the goal of setting the spending priorities for the next fiscal year.

The House is prepared to begin consideration of several appropriations measures to fund our government's activities, but we must pass this budget first. We must set the priorities in funding levels before we proceed with the appropriations process. The budget is our congressional spending blueprint. We must complete its consideration to move on with the business of the House.

The Committee on Rules will meet later today to provide a rule for the consideration of H. Con. Res. 376, the budget for fiscal year 2007, and I am pleased that this same-day rule facilitates the timely deliberation of this important legislation.

I urge my colleagues to support the same-day rule so that we can move forward to a serious discussion about the budget legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. McGOVERN. Mr. Speaker, I want to thank the gentleman from Florida (Mr. PUTNAM), my very good friend, for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise in strong opposition to this martial law rule and in opposition to the outrageous process that continues to plague this House. Apparently the Republican leadership has twisted enough arms and broken enough legs to try to ram through their mystery budget package. And I call it a mystery because, aside from a select few chosen by the leadership, no one has actually seen this budget.

We are not talking about naming a post office here, Mr. Speaker, or congratulating a sports team. What we are talking about is the budget priorities

that will affect every single American on issues like health care, education, veterans care, environmental protection, national defense, and it goes on and on and on.

So what is in this thing that we are going to see sometime later today? If it is anything like the last version of the budget, which came up a few weeks ago that was pulled, it is probably full of misplaced priorities, broken promises, and empty rhetoric. If it is anything like the last version, it will bankrupt our children and our grandchildren at the expense of the very wealthy. If it is anything like the last version, it will be an assault on our veterans. And if it is anything like the last version, it slashes critical programs in the areas of education, job training, environmental protection and conservation funding, public health programs, medical research, and social services.

But, Mr. Speaker, we do not really know what is in this budget because the leadership of this House would prefer us not to know. They would prefer the American people not to know.

To make a bad situation even worse, we have before us a martial law rule that allows the leadership to once again ignore the rules of the House and the procedures and the traditions of this House. Martial law is no way to run a democracy. Mr. Speaker, no matter what your ideology, no matter what your party affiliation, no matter what you believe about what the budget priorities of this Nation should be, every single Member of this House should have the opportunity to review a bill of this magnitude before voting on it.

Mr. Speaker, we really are in the Land of Oz here with the leadership saying, pay no attention to that man behind the curtain. We know somebody is back there, and we know they are putting together a budget, in my opinion probably a lousy budget, but we really do not want anyone to know the truth. We do not want anyone to know the facts.

Mr. Speaker, those across this country who are watching these proceedings on their television must be wondering how and why the House of Representatives, the greatest deliberative body in the world, could be bringing a budget to the House floor without allowing all Members, even supporters and those who probably will oppose this bill, the opportunity to be able to look at it, to be able to understand what the implications are. But the fact is this much talked about budget, this much talked about but rarely seen budget, will be working its way to the House floor sometime today. I hope the Members will have an opportunity to look at the budget. They are not going to be given enough time, but I hope they will be given some time to see what it is before we begin the debate.

Mr. Speaker, I reserve the balance of my time.

Mr. PUTNAM. Mr. Speaker, I yield myself such time as I may consume.

I agree with my friend from Massachusetts about the magnitude of this budget process and its importance and how we establish priorities in this government, how we lay out a spending blueprint.

My friend from Massachusetts has referred to this as the greatest deliberative body in the world on a couple of occasions, and I would just offer a slight correction that perhaps the Senate is the greatest deliberative body in the world, and we are the greatest legislative body in the world. They talk about it, and we act. We move forward on the agendas that are important to Americans, and we do it in a bold and decisive way, while perhaps the more deliberative body talks things to death and produces nothing.

The budget of the Federal Government works a bit differently than it does for those Members who came from a State legislative background or from local government background. It is a two-step process. The budget lays down the markers, the fence lines, if you will, around the big numbers: X amount for Defense, X amount for Transportation, X amount for Health and Human Services. And the second step of the process then is the appropriations process, which consists of 11 separate bills moving to fill in the blanks: How many tanks and jeeps and bullets and bombs do you buy within the budget framework for defense? How many post offices do you construct or repair within the Postal Subcommittee? How many bridges and roads do you get within the Transportation? They put the meat on the bones.

The skeletal framework is this budget, this blueprint, this spending priority for the Federal Government. And the rule that we are here to debate, and I suspect that this will become a proxy debate on the budget itself, which is not what we are considering before the Speaker today; what we are considering is the procedure that allows us to move forward with the budget that is a hugely important blueprint for this Nation. It is important that we get going on it. We have now been considering it for several weeks. The committee mark has been available for over a month. The substitute amendments that undoubtedly will be presented to the Rules Committee as alternatives have been available for weeks.

So there is no mystery here. There is no secret. We are attempting to facilitate the work of the House.

Mr. Speaker, I reserve the balance of my time.

Mr. McGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank my friend from Florida for his comments. And we should be the greatest deliberative body in the world. We should be the greatest legislative body in the world. But to be the greatest legislative body in the world, I think, requires some deliberation. And that is why so many of us have strong objections to this martial law rule.

We are faced with some very serious challenges in this country. The fiscal irresponsibility and misplaced priorities, I think, of the last several Congresses and by this administration have resulted in an incredible debt that I think is probably the biggest debt that this country has ever seen in our history. We are concerned about whether our veterans are going to be treated with the respect that they not only deserve, but they have earned. We are worried about whether or not these unfunded mandates that are contained in No Child Left Behind will get adequate funding. We are worried about health care, over 43 million Americans without health care in this country. We are worried about environmental protection and job creation and so many other things. We are worried about the high cost of energy and whether or not we are going to invest appropriately in alternative forms of energy.

But the gentleman is correct that what we are debating right now is not the budget, but the process under which that budget will be considered. And it just strikes me and a lot of other people on this side somewhat astounding that a bill of this magnitude would be brought to the floor under this proceeding.

The gentleman says that the budget has been available, that people know what is in the budget. Well, we know what was in the last budget that was brought before the House floor and that it was pulled when we did not have the votes. The question is what is new in the budget brought forward today? I assume that there are going to be some changes. If there are no changes, then I can understand the gentleman's point about this is not that big of a deal. But my understanding is that there are changes; that as we speak right now, there are back-room deals being negotiated and secret negotiations going on that most Members of this House, Republican and Democrat, have no clue about its content.

So this is a very, very serious matter. I do not think it is unreasonable to demand that every Member of this Chamber, Democrat and Republican alike, should be given the opportunity and the courtesy to be able to know what they are voting on, to know the implications of what they are voting on before this moves forward.

Mr. Speaker, I yield 3 minutes to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Speaker, I thank my friend for yielding.

Mr. Speaker, I rise in strong opposition to this martial law rule and also strong opposition to the budget resolution that we will be dealing with later this afternoon.

Mr. Speaker, the budget resolution that we will be debating is wrong and very bad public policy for at least three reasons: First, it is grossly unfair at a time when the middle class is shrink-

ing, when the incomes of ordinary people are not keeping up with inflation, at a time when under President Bush 5 million more Americans have slipped into poverty, and at a time when the wealthiest people in this country have never had it so good, it is wrong, wrong, to continue to give tens of billions of dollars in tax breaks to the wealthiest people in America. They do not need it.

Frankly, Mr. Lee Raymond, the former CEO of ExxonMobil, who received a \$398 million retirement package, can survive. He will just about make it okay, trust me, without another Republican tax break.

Secondly, while the middle class is struggling, it is just plain wrong, as Mr. MCGOVERN has just indicated, to cut back a desperately needed program. At a time when the cost of college education is soaring, when middle-class families are finding it harder and harder to afford a college education for their kids, how do we cut back on financial aid for college education at the same time as we give tax breaks for billionaires? That is wrong.

Everybody knows that the Veterans Administration is undergoing enormous financial stress. There are waiting lines for veterans in the State of Vermont, all over this country. 17,000 American soldiers have been wounded in Iraq.

□ 1400

More and more are coming back with post-traumatic stress disorder. At a time when the VA is already underfunded, we cannot cut back on the needs of our veterans.

Thirdly, thirdly, we presently have a \$8.3 trillion national debt, a heck of a legacy to be leaving to our kids and our grandchildren. This budget resolution will increase the national debt.

This is bad public policy. This martial law rule should be defeated and the budget resolution should be defeated.

Mr. PUTNAM. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my friend from Vermont for raising the points that he did. They are very timely in that almost as we speak, the White House signing ceremony will be occurring, where the President, along with the congressional leadership, will be celebrating the fact that we have prevented taxes from automatically increasing, something that the other side would have advocated by virtue of opposing the tax plan.

Now, let's talk a little bit about this tax issue.

Mr. SANDERS. Mr. Speaker, will the gentleman yield?

Mr. PUTNAM. I gladly yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Speaker, how does my friend feel about a tax bill, the one that the President is signing, which will give \$43,000 in tax breaks to millionaires and a \$10 a year tax cut to people making \$50,000 a year or less? Does my friend think that that is a fair proposal?

Mr. PUTNAM. Mr. Speaker, reclaiming my time to answer the gentleman's question, I would answer the question with a question, which is how does the gentleman feel about the fact that 40 percent of American taxpayers end up with no tax liability, and the fact that the top half of all taxpayers in this country contribute almost 97 percent of all income tax revenues to the government? So you have to have a situation where the people who pay taxes are getting tax relief, because we have created such an upside down system where 40 percent of Americans have no tax liability. How is that sharing in the burdens of democracy? How is that contributing to the needs of the Federal Government?

Let me go into this a bit. Up to 40 percent of Federal tax filers cannot receive further tax relief because they have no tax liability. Millions of families in the bottom 20 percent have either zero tax liability or get money back from the government after April 15 through the Earned Income Tax Credit or the child tax credit. In 2003, as I said, the top half of taxpayers, the top 50 percent of taxpayers, contributed 96.5 percent of all Federal individual income taxes, while the bottom 50 percent, the bottom half, contributed less than 3.5 percent. This reflects the early effects of the Republican tax reforms under the Economic Growth and Tax Reconciliation Act and the Jobs and Growth Tax Reconciliation Act.

The top 1 percent, the top 1 percent of tax filers paid 34 percent of all Federal personal income taxes in 2003, while the top 10 percent accounted for 66 percent of those taxes.

So this is not just about going after athletes and rock stars and Hall of Fame pitchers. It is small businesses who pay at the individual rate that are receiving the benefits of these tax reforms. It is married couples who have benefited from seeing the marriage tax penalty eliminated. It is families with children. It is an extension of the 10 percent bracket. It is the increase in the AMT, the alternative minimum tax, the Rostenkowski tax that was put in place under the Democratic leadership of the Congress, that now, like the insidious effects of the Federal Government, has found its way into the pockets of millions of middle-class Americans.

The tax bill the President is signing today prevents those taxes from going up on middle-class Americans, it prevents the AMT from taking effect on millions of people who don't know what AMT even stands for but are going to get stuck with a tax bill for it and it encourages investment in this strong economy.

Frankly, the results have been staggering, where revenues to the government have gone up 14 percent because of the fact that we have had in place capital gains rates, dividend tax rates, AMT relief, sales tax deductions, that allow people to continue to invest and

take on new employees and take risks, which is the heart of a free enterprise economy.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Speaker, I thank my friend for his presentation, but when you talk about who is paying what in income tax, you are forgetting a very important part of the equation, and that is who is making what in income.

As the gentleman knows, or should know, in the United States today we have the most unequal distribution of income and wealth of any major country on Earth. The gentleman knows, or should know, that the wealthiest 1 percent in America own more wealth than the bottom 90 percent. And the gentleman should know that the wealthiest 13,000 families earn more income than do the bottom 20 million families.

So when the gentleman said, my goodness, look at how much the wealthy are paying, those are the people, and in many cases, the only people who are seeing an increase in their income. The gentleman knows that family household income is stagnant, that working people are working longer hours for lower wages because the jobs that are being created by and large in this country are low wage jobs.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am listening to my very good friend from Florida talk about the signing ceremony at the White House today where the President is supposedly celebrating his tax bill. I would argue that what they are celebrating is increased debt on the American people. I don't think that is anything to celebrate over.

I want to get back to process here for a minute, if I can. Democrats and Republicans differ on a whole range of issues, and we can argue that appropriately when the full budget comes before the House. But what is troublesome is the fact that we don't know what you are going to bring to the floor later today, and I have to believe that if the roles were reversed here and the Democrats were in control of the Congress and we were to rush a budget to the floor today without you having seen it, that you wouldn't be too happy either, that you would think that is not an appropriate way to do business.

This is May 17. We have been here 127 days this year, and we have only been in session 41 of those 127 days. To argue that we don't have the time or that we need to rush to get this budget passed or we don't have the time to deliberate, to even be able to read what is actually in the bill coming before us, I just think is hard to defend.

Also in this budget, unless it changes, but I am assuming it will be similar to the last budget, is that when we pass this plan, there will be an automatic passage of a \$653 debt limit

increase by the House. We would not have a separate debate or a separate vote on that.

When I go home and people want to know why aren't we doing more to control the spending, why aren't we doing more to control the debt, why don't you have a debate on the debt limit, my answer has to be, well, the issue of the debt limit is hidden in a budget. It is automatic. We don't even get a chance to vote up or down on something like that. That is an important issue, I would think, that even my colleagues on the other side of the aisle would agree with.

So putting the policy disagreements aside for one moment, the main objection to this martial law rule is the process, a process that doesn't even allow Members of both parties to have the opportunity to review what is in it. And deliberation is important, I would say to my friend from Florida. It is important that we debate issues seriously, and not just the trivial ones. And this is important. Increasing the debt limit, the implications of this budget, this is important, and we should have that opportunity.

Mr. Speaker, I yield 8 minutes to the gentleman from South Carolina (Mr. SPRATT).

(Mr. SPRATT asked and was given permission to revise and extend his remarks.)

Mr. SPRATT. Mr. Speaker, it is fair to ask, why are we resorting to this extraordinary procedure, where we override all the rules of the House, on a matter of this magnitude including a rule that requires that a bill of this kind, a budget resolution, lay overnight for our examination before we bring it to the floor? The martial law rule mows down all exceptions, all of those procedural guards and guidelines, and makes something immediately subject to consideration by the House.

We have no idea what is going to be in that resolution when it comes, yet we are put to a vote here on a martial law resolution. It simply isn't good procedure, a good way to run the House.

I think that the reason we are playing this game of "hide the ball" is that the Republicans cannot muster the vote in their own ranks, still not yet, to pass their own resolution. Democrats aren't going to vote for it, because we haven't found it to be worthy of our support. But the reasons for their reluctance are they can't close the deal on their side either, plainly because it is a bad deal.

I want to show you just a few highlights, Mr. Speaker, of this particular bill to understand exactly why it is not a good piece of legislation and why we should adopt the Democratic substitute, a far superior approach to the problem at hand.

First of all, let's go back to what Mr. MCGOVERN just said. When this Congress passed President Bush's first budget, we were assured by the Office

of Management and Budget, that even with their tax cuts, \$1.7 to \$1.8 trillion, even with their tax cuts, they would not be back to us to ask for an increase in the debt ceiling, the limit to which we can legally borrow, for at least another six or seven years. 2008 was the year they indicated.

But the next year, hat in hand, June of 2002, they came back and said, we erred a bit and we will need to increase the debt ceiling by \$450 billion. This Congress, with Republican support, voted for that debt ceiling increase.

The next year, May of 2003, they were back again, and this time they wanted a phenomenal sum of money, \$984 billion, the biggest single increase ever in the debt ceiling of the United States. You would have thought that would have taken us for some period of time. But under the budgets of this administration, in order to accommodate those budgets, the debt ceiling had to be raised again in November of 2004, within 15 months after this huge increase of \$984 billion, by another \$800 billion.

Two months ago, just 2 months ago in March, this Congress raised the debt ceiling of the United States by \$781 billion. That was 2 months ago, last March.

Now, in this resolution, when you vote for this, and I will show you an excerpt from the budget resolution right now, when you vote for this, everyone should read and be aware of page 121 of this resolution because it effectively says in voting for this, you are voting to increase the legal debt ceiling of the United States by \$653 billion. Don't take it from me, look at the hard copy, the black and white print shown here on this poster, reproduced from page 121 of the budget resolution.

This resolution will increase the debt ceiling of the United States by \$653 billion, or at least it will be the action of the House must take. The Senate would have to follow through. This will be the vote in the House, raising the ceiling by \$653 billion.

When you add those increases, \$450, \$984, \$800, \$781 and finally \$653, all of which have been necessary to make room for the budgets of the Bush administration with their enormous deficits, when you add all these together, you get \$3.668 trillion, \$3.7 trillion since June of 2002. In 5 years, 5 years, we have had to raise virtually by 50 percent the debt ceiling of the United States, by \$3.7 trillion. That is why we have got a martial law rule now. This budget won't stand scrutiny. These numbers simply are indefensible.

Let me show you, for example, what has happened to the deficits since the Bush administration took office. Over the last 5 years, with this budget we will experience the five largest deficits in nominal terms in the history of the United States.

□ 1415

Once again, this is why, not only on our side are we not supporting it, but on their side, too, the votes are not

there to pass this resolution, because it will not bear scrutiny.

Now, one of the things the administration and also the Budget Committee is attempting to do in order to begin squeezing this budget back into balance is they are coming down hard on one particular sector of the budget known as domestic discretionary spending.

Domestic discretionary spending includes education, it includes highways, it includes the government basically as we know it, including the operation of the government. It does not include defense, it does not include foreign affairs, it does not include entitlement programs; it includes the money we appropriate every year in 10 appropriation bills.

That is the one sector of the budget which constitutes less than 15 percent of the budget which they are bearing down on, and here is what is happening to those different functions in that particular part of the budget.

Over the next 5 years, the purchasing power, the real value of the amount of money that we appropriate for education, for health care, for research, for scientific endeavors, for the operation of the government, the park system, the court system, you name it, will decrease in value by \$167 billion cumulative over that period of time.

This will begin to hurt. Let me illustrate how. Education. Surely this is a time in our national history when we should be unstinting in what we spend on education, because our survival in the global economy depends critically upon it. Education will be cut \$45.294 billion below current services, \$45 billion over the next 5 years.

This budget will lay the basis for what the President has proposed, namely to eliminate 42 programs in education, and, for the second time in a row, to cut what we appropriate for education below the level of the previous year.

Veterans. If there is ever a time when we should appreciate what our veterans do for us, it is now. There were 17,000 grievously wounded in the Persian Gulf. Surely, surely we should be providing amply for veterans health care. But this budget is \$6 billion below what we call current services, maintaining what we provide now over the next 5 years. It cuts veterans.

Health. Now, that is a broad category, a big category, because it includes the National Institutes of Health, the Centers for Disease Control. It includes a number of rural health care initiatives, a whole host of health care programs. This budget cuts those programs \$18 billion.

Just 5 years ago, when we had a surplus, a \$236 billion surplus in the year 2000, we resolved, Democrats and Republicans, House and Senate, that we would double the budget of the NIH, but we are now renegeing on that commitment. We achieved that goal; we are now backing back down the slope, and each year NIH is going to take a

hit under this budget because it is \$18 billion short of current services for health.

And then finally the environment. The Environmental Protection Agency, the Clean Water Act, the Clean Water Drinking Act, the Corps of Engineers, which has extraordinary demands on it because of Katrina, the National Park Service, this budget imposes a cut of \$25 billion below current services over the next 5 years.

Why are we here? Why are we seeking a martial law rule? Why? Because this budget will not stand scrutiny. Thank you.

Mr. PUTNAM. Mr. Speaker, I appreciate the gentleman from South Carolina's diligent efforts on the Budget Committee as the ranking member. He, along with our chairman, have forged a very strong working relationship. I respect his efforts on these issues, and he has certainly been working on them for years.

Let me take a moment, though, to scrutinize the Democratic substitute, where, if our budget is the Land of Oz, theirs is worthy of a good Sherlock Holmes novel, a who-done-it and where-did-they-put-it, because they seem to rely on revenues that just do not exist.

For example, the key component of their revenue in the Democratic substitute is over \$700 billion in what the IRS calls the tax gap. In other words, it is the difference between what people owe the IRS in taxes and the collections that actually come in.

They assume, my friends on the other side of the aisle, in their budget projections that all \$727 billion of that so-called tax gap shows up. Now, if they know where it is now to project it in their budget, please share it with us so that we may meet these needs, these unmet needs that have been described with great elaboration.

You seem to know where it is, because you know for a fact such that you budget for it, that it will appear, poof, that it will show up in time to make your budget balance.

They allow the important tax reforms that we have worked so hard to implement over the past several years to expire. They allow taxes to go back up. Their budget, their budget, provides for only \$150 billion in tax relief, which I am glad to see that they are coming around to the concept that tax relief can be an important economic stimulant, as we were just hearing the opposite view in congratulating the President for signing \$70 billion in tax relief, and yet they account for \$150 billion, but say that our \$70 billion was reckless and irresponsible. They would allow the child tax credit to expire, or the 10 percent bracket to expire, or the death tax to expire, or the marriage penalty to expire to make their numbers work.

And so when we get tied up in all of the rhetoric about this issue, it is important to remember that the budget debate that we will be moving forward

with today is about choices. It is about a different set of priorities as represented by the two political parties for the future of this country. Our budget deals with both sides of the ledger. Our budget recognizes that over half of the Federal spending today is on the mandatory side of the ledger. It is on automatic pilot.

That is unsustainable. Both parties know that Social Security needs help. Both parties know that Medicare needs help. Both parties know that Medicaid needs help or it will sink the entire Federal budget. It makes up 55 percent of spending today. Within the decade it will make up two-thirds of Federal spending. Their budget does not address 55 percent of the Federal budget, a \$2.17 trillion budget; just ignores it. That is not responsible. That is not dealing with the problems that we know exist and will only grow in magnitude and scale as time moves on.

These are the challenges that our budget attempts to deal with and deal with in a very responsible and balanced way.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Florida is absolutely correct when he says that this budget is about choices. And there are clear differences between what Democrats believe are the right choices and what Republicans believe. But the vote we are going to have on this martial law rule is also about choices, and the choice is, should Members of Congress, Republicans and Democrats, be afforded the opportunity to know what they are voting on, to be able to see what is in the budget that they are going to bring to the floor later today?

I do not think that that is unreasonable. I mean, even if you disagree with me and people on the Democratic side on all of the budgetary issues, I mean, do you not think that it is reasonable to require that Members should be able to know what is going to be in your budget, what changes you are going to make?

I mean, as I said before, when you vote for your budget, it is an automatic increase in the debt ceiling. I mean, what else is going to be put in there that we are not going to know about until when it is on the floor?

Mr. Speaker, I think the process is indefensible. We can argue the policy later, but the process is indefensible. We need to do much better.

Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Speaker, I thank Mr. MCGOVERN for yielding me the time.

Mr. Speaker, I rise in opposition to this martial law same-day rule, and in opposition to the budget resolution.

Every landmark budget reform enacted by Congress was intended to make the process more efficient so we

can go about the business of funding programs important to the American people, particularly aid and relief to those who need our help the most.

We can all agree that a budget is supposed to be the congressional blueprint for funding America's priorities. Regrettably, however, the Republicans have abrogated this responsibility on at least two counts. First, this resolution comes halfway into the calendar year, and halfway into the third quarter of the current fiscal year, way too late to responsibly budget for America's priorities.

Second, this budget comes sandwiched between \$70 billion worth of tax cuts for the most comfortable among us, and \$100 billion in off-budget supplemental funds. It is this kind of fiscal irresponsibility that drives people to disapprove of the 109th Congress and why a change of leadership is needed before our country sinks deeper into red ink and before the budget resolution becomes completely irrelevant.

Mr. PUTNAM. Mr. Speaker, I yield 4 minutes to the chairman of the Joint Economic Committee, the gentlemen from New Jersey (Mr. SAXTON).

Mr. SAXTON. Mr. Speaker, I thank the gentleman from Florida (Mr. PUTNAM) for yielding me time.

Mr. Speaker, I was listening a few minutes ago when I heard an exchange about taxes and the President's signature being placed on the tax cut extension bill today. I just wanted to share very quickly with the Members the thought that has been placed behind this over the last number of years.

If you believe, as I do, that tax policy can be useful in stimulating economic growth, then one might look for opportunities to show that that really worked. As a matter of fact it really worked. It really worked in 1962, when John Kennedy was President and he recommended that we cut taxes, and in 1962 and 1963, the Congress did cut taxes, and it worked. The economy grew.

Ronald Reagan suggested that we do the same thing, because the economy was not growing very well. And we did cut taxes, and the economy grew. And in 2003, when we were having very slow economic growth, following a shallow recession in 2001, President Bush suggested that we cut taxes, and we did, and the economy has been growing great, robustly ever since.

As a matter of fact, since 2003, we have had great economic growth, culminating last quarter with a 4.7 percent increase in GDP. Now, if we are going to cut taxes, then we have to cut taxes on people who pay taxes. Otherwise, by definition it will not work.

This chart to my left is a chart that expresses figures that have been compiled by the IRS. And it shows, as Mr. PUTNAM had pointed out, that the top 1 percent of taxpayers, wage earners, pay 35 percent of the taxes, 34.2 percent to be more exact. And it shows that the top half of the taxpayers in terms of their income levels pay 96.5 percent of the taxes.

Therefore, as we look at these figures, and the top 5 percent pay over 50 percent of the taxes, the top 10 percent pay 65 percent of the taxes, and as I said a minute ago, the top 50 percent of the wage earners in this country pay 96.5 percent of the taxes.

So I ask you, if John Kennedy believed that cutting taxes would make the economy grow, and he was right, and Ronald Reagan thought cutting taxes would work, and turned out he was right, and President Bush thought cutting taxes would work, and it turned out the economy grew as a result of his policies, then where are we going to cut the taxes?

Obviously the bottom half of the wage earners in this country paying 3.5 percent of the taxes, it will not do a lot of good to the economy if we reduce that even further. We have to cut it in the area of wage earners who pay taxes. And so it is very clear to me that today's signing of the tax cut extension bill is a well thought out, good economic policy venture, which will continue, as has been shown throughout history, to provide for a stimulus for economic growth.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just say to the gentleman from New Jersey and some of the previous speakers that if these Republican policies are so wonderful, and if it is so obvious that they work, then why have you been struggling for months trying to get a budget together? Why are we here debating a martial law rule to bring up a budget that nobody has seen yet because you are still trying to work out deals within your own party, because you do not have the votes within your own party to pass this? This goes back to the point I had made at the very beginning.

□ 1430

We can argue and argue about the policy, and that is totally appropriate. But how do you defend this process? I mean, how do you defend this process? And I think that that is a question that is yet to be answered.

Mr. PUTNAM. Mr. Speaker, will the gentleman yield?

Mr. MCGOVERN. I yield to the gentleman from Florida 20 seconds.

Mr. PUTNAM. Well, I thank the gentleman for his generosity.

Mr. Speaker, I would ask the gentleman, in his use of the term martial law, the fact that we are here in a democratic process arguing about it for an hour and then going to have a vote on it, under which chapter and verse of Webster's is that martial law where there is debate, discussion, transparency, and a vote?

Mr. MCGOVERN. Well, I would say to the gentleman, I define this as a martial law rule because what it is doing is enabling the leadership of this House to bring a budget to the floor that nobody has seen. And I don't think that is democratic. I don't think that is respectful of the deliberative process

here in this House. I don't think that that is something, if the shoes were on a different foot, the gentleman would want to tolerate. And I hope that, given the opportunity to be able to take control of this House, that we can demonstrate a different standard on some of this stuff.

Mr. Speaker, I yield 2½ minutes to the gentleman from Wisconsin (Mr. KIND).

(Mr. KIND asked and was given permission to revise and extend his remarks.)

Mr. KIND. Mr. Speaker, I thank my friend from Massachusetts for yielding me this time.

Mr. Speaker, just in quick response to my good friend and colleague from New Jersey and his income tax chart, that really shouldn't be surprising to anyone here in this Chamber, because the whole basis of our income tax system is based on progressivity. Meaning, those who can afford more, those who are most wealthy, are asked to contribute more, and that is the fair and decent thing to do in our society.

But the one thing that that chart does not show is one of the most regressive taxes in the entire country, which is the payroll tax, the FICA tax, which is cut off at \$90,000. And that is something that everyone under that 50 percent category is paying taxes on based on every single dollar that they earn. Yet they conveniently ignore that fact, and the fact that they are robbing those trust funds right now, both Social Security and Medicare, which comes from the FICA tax in order to help pay for the tax breaks for the most wealthy.

I agree with my friend from Florida, who I serve on the Budget Committee with, that we do have a challenge with entitlement spending. We have to lock arms in a bipartisan fashion to get those growing costs under control. But his party has forfeited any basis of fiscal responsibility related to entitlement spending by passing the largest expansion of entitlement funding in over 40 years with the new prescription drug plan, something that is not paid for, something that in fact has no cost containment measures in; it specifically prohibits any price negotiation with the drug companies, and it is blowing a hole in the Federal budget. And that is outrageous.

And what is even more outrageous is something that my ranking member on the Budget Committee, Mr. SPRATT, pointed out on page 122, and that is the fifth increase in the debt limit ceiling in the last 6 years. This has been the largest, the fastest expansion of national debt in our Nation's history under this Congress and this current administration. And what is even more alarming is we no longer owe this debt to ourselves. China is the number one purchaser of our government deficits today, and they are soon to be followed by Russia and Saudi Arabia. Why? Because of the petro dollars that are flowing to those two countries and who are

in turn starting to buy more of our debt.

The amount of debt that is being accumulated is truly staggering, and deficits do matter. And this is something I am going to point out during general debate, because of who suffers when we run deficits? I will tell you who suffers. It is the children and the students of this country who are suffering, when we are going to see another \$4.5 billion worth of cuts based on current funding levels for higher education programs under this budget, where they are defunding special education funding, going from 17.8 percent down to 17 percent when the bipartisan goal has been funding it at a 40 percent federal cost share. Those are the people who are suffering when we run deficits. We have a better alternative with the Democratic substitute, a substitute that pays-as-we-go and I hope our colleagues support that.

Mr. PUTNAM. Mr. Speaker, I am pleased to yield 5 minutes to my friend and colleague from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I rise in support of the rule and support of the budget, and I support the budget for a number of reasons. But I do want to say, as I listen to the arguments from the other side, they are a little bit all over the place. And yet that is not unusual, because if you are in the minority party, you can pick and choose your relevancy. And generally the message that we are hearing from that side is it cuts too much here, it doesn't spend enough there, I don't like this, I don't like that. And yet they don't have a unified plan except to vote "no" on everything. We won't pick up a vote, you guys know that. The only thing they are unified by is a "no." They cannot even within their own caucus support a budget that could get a majority. And we would like to work with them.

We just heard they don't like the Medicare prescription drug benefits, so they are, I guess, against the Medicare prescription drug benefit and want to return to the days when seniors were choosing between food on their table and medicine that they needed from their doctor.

We have heard they are supporting a Social Security tax increase. Well, I had a lot of Social Security town meetings; I didn't hear anybody who wanted to increase taxes on Social Security. I don't know if that is an official view or just one Member, but I do know that in terms of Social Security, there again it was a big "no" vote because they did not want to participate.

Now, what they also don't like is the economic prosperity that we are enjoying right now, because their whole view is if somebody is making money, then they are bad and they are evil, because they have this obsession with the wealthy in our society; unless they are a union, business agent, or a Barbra Streisand and some of the big wheels of Hollywood who fund their coffers, then it is okay to be rich and wealthy.

The interesting thing, though, is that under Republican Party policy, the economy has done so well. And think about this: that the domestic gross product grew by 8 percent the first quarter of 2006, and in the month of April alone 138,000 new jobs were created. We know, because it is an economic fact, that since our tax reductions went into play for farmers and small businesses, that 5 million new jobs were created. And there is a very important thing in there, business expensing, that allows the bicycle shops back home and the clothes store and the pet shops to expand and get a tax deduction for doing so. I know the Democrat Party doesn't like business, which would include small business. I think it is okay to have a healthy distrust of some of the big Wall Street guys. Some of those firms, after all, are Democratic. So we should kind of distrust some of those. They were big Clinton supporters, as I remember some of that crowd. But small businesses need this, because they can grow, and we need to give them some tax incentives.

In terms of tax receipts, as I sit in the Appropriations Committee, and bill after bill the Democrats want to spend more on and they want to take away this mythical tax cut for the rich, and the idea is because the rich are paying their taxes that the deficit is down. And yet the Treasury Department has reported that the receipts are up \$137 billion, that is 11 percent, in the first 7 months of the year, of the fiscal year of 2006 which started October 1. So receipts are up 11 percent and yet taxes are down.

Now, why is that? Well, you could put it this way. If a business was doing three or four transactions a day and we were getting a tax on each transaction, now they are doing eight or nine, ten transactions a day, and we are still getting that tax. So we are taxing more because there is more activity and there are more transactions in the business world. And, again, because of that, the revenues are up \$137 billion.

Now, last year they were up \$274 billion, or an increase of 14.6 percent in fiscal year 2005. That is very significant for folks to remember. And, as Mr. SAXTON said, President Kennedy, President Reagan, and now President Bush have shown the American people spend their money better than we do in Washington. And, again, I want to speak as an appropriator. I am in these meetings and I am convinced the American people can do better with their own money than we can. It stimulates the economy, it creates jobs, it is good for all of us. And then, in Washington, we do get more revenues.

Do I want to cut spending? Yes, I do. Do I think we need to reform entitlement? Yes, I do. I want to work on a bipartisan basis to do that, though, because I think that is the way the American people want to see us cooperate.

Mr. MCGOVERN. Mr. Speaker, may I inquire how much time remains on both sides?

The SPEAKER pro tempore (Mr. FOSSELLA). The gentleman from Massachusetts has 1½ minutes remaining, and the gentleman from Florida has 9 minutes remaining.

Mr. MCGOVERN. Mr. Speaker, I again rise in strong opposition to this martial law rule. We have rules and procedures in this House, and today by bringing this martial law rule to the floor and by bringing a budget bill to the floor, sight unseen, we are breaking those rules. We are basically making a mockery of the procedures that are in place to ensure that Members of Congress, at a minimum, know what in fact they are voting on when some of these bills come to the floor.

This is not a trivial matter. The budget is a big deal. It sets out our priorities. And it is totally appropriate for people to be able to debate all different issues openly and on the House floor. And I would again, after listening to the gentleman from Georgia, I guess my question to him is, again, if things are so wonderful, why can't you even get Members of your own party to get behind a budget?

But putting that aside, this vote we are about to have is on process, it is on whether or not Members of Congress, Republicans and Democrats, should have the right to read what is in the proposed budget. I don't think that that is too much to ask for. I don't think that is unreasonable. I think most Americans who are watching this debate are scratching their heads saying, why can't you show us what is in this bill? What is the big secret? When are we going to have this budget available to us? When are we going to know what is in it? When are we going to find out what deals have been negotiated behind closed doors? I don't think that is unreasonable.

So I would urge my colleagues to vote "no" on this martial law rule, and let us demand that we have a process in place in this House and have some integrity.

Mr. Speaker, I yield back the balance of my time.

Mr. PUTNAM. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my friend from Massachusetts. He does have a way with words and continues to refer to a process whereby, in order to waive the rules of the House, you must come to the floor, introduce a resolution, it must be given an hour of debate, which we have been engaged in very vigorously, and be voted on. I mean, Pinochet and Castro would laugh at the notion that that has anything to do with martial law. This is a process under our rules that requires a vote. It requires debate. It requires transparency.

The simple fact of the matter is we have to move a budget. This Nation needs the spending blueprint, it needs the discipline, it needs the restraint

that a budget provides. Then the appropriators, as my friend from Georgia has discussed, the appropriators take over. And they can pass within that box that we have put Federal spending in, in the Federal budget, 11 different bills that deal with each component of government: defense, veterans, transportation, energy and the environment, military quality of life, the whole range of issues that then are debated again in committee, in subcommittee, on this floor, in the conference with the Senate.

This is a transparent process, a patently transparent process where people are free to watch their Members actively, aggressively, work to take language out of bills, to put language in the bills, to shift formulas around to benefit high-growth States or to protect low-growth States from having those monies shifted around; to put more money into veterans and less for the arts, or more into the arts and less for the Corps of Engineers, or more for the Corps of Engineers because of Katrina; to set aside emergency funds because we know that every year there will be a drought or a wildfire or a hurricane or an earthquake. All of those huge issues that are embodied in over \$2 trillion in Federal spending are here today in the form of the Federal budget.

This bill, this resolution, allows us to move forward with that process that began months ago, that began on a bipartisan basis in the Budget Committee, that was debated extensively in the Budget Committee, that was marked up in the Budget Committee, and will end up on the floor of this House today.

This is an open process, it is a transparent process. Anyone who has observed this debate can see that it involves a great deal of viewpoints about a great deal of very important issues. And that is the position we find ourselves in here today. It is a healthy process because it is a fundamental decision about the direction that Americans' hard-earned tax dollars will be taken.

□ 1445

Will those tax dollars find their way into bloated bureaucratic programs? Will they find their way into duplicative programs? Will they find their way back into a surging economy? Will they find their way into investments in the cure for cancer and Lou Gehrig's disease and a whole host of other ailments? Will they fund our troops in the theater of war?

That is the decision we are positioned to move forward on here today.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. McGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

FOREST EMERGENCY RECOVERY AND RESEARCH ACT

The SPEAKER pro tempore (Mr. CONAWAY). Pursuant to House Resolution 816 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4200.

□ 1446

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4200) to improve the ability of the Secretary of Agriculture and the Secretary of the Interior to promptly implement recovery treatments in response to catastrophic events affecting Federal lands under their jurisdiction, including the removal of dead and damaged trees and the implementation of reforestation treatments, to support the recovery of non-Federal lands damaged by catastrophic events, to revitalize Forest Service experimental forests, and for other purposes, with Mr. FOSSELLA (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 4 printed in House Report 109-467 by the gentleman from New Mexico (Mr. UDALL) had been postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. RAHALL of West Virginia.

Amendment No. 2 by Mr. DEFAZIO of Oregon.

Amendment No. 3 by Mr. INSLEE of Washington.

Amendment No. 4 by Mr. UDALL of New Mexico.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. RAHALL

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from West Virginia (Mr. RAHALL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 189, noes 236, not voting 7, as follows:

[Roll No. 147]

AYES—189

Abercrombie	Hastings (FL)	Pallone
Ackerman	Higgins	Pascarell
Allen	Hinchey	Pastor
Andrews	Hinojosa	Pelosi
Baldwin	Holt	Petri
Bean	Honda	Price (NC)
Becerra	Hoolley	Rahall
Berkley	Hoyer	Ramstad
Berman	Inslee	Rangel
Bishop (NY)	Israel	Reichert
Blumenauer	Jackson (IL)	Reyes
Boehrlert	Jackson-Lee	Rothman
Boucher	(TX)	Roybal-Allard
Bradley (NH)	Jefferson	Ruppersberger
Brady (PA)	Johnson (CT)	Rush
Brown (OH)	Johnson (IL)	Ryan (OH)
Brown, Corrine	Johnson, E. B.	Sabo
Capps	Jones (OH)	Sánchez, Linda
Capuano	Kanjorski	T.
Cardin	Kaptur	Sanchez, Loretta
Carnahan	Kelly	Sanders
Carson	Kildee	Saxton
Case	Kilpatrick (MI)	Schakowsky
Castle	Kind	Schiff
Chandler	Kirk	Schwartz (PA)
Clay	Kucinich	Schwarz (MI)
Clyburn	Langevin	Scott (VA)
Conyers	Lantos	Sensenbrenner
Cooper	Larsen (WA)	Serrano
Costa	Leach	Shays
Costello	Lee	Sherman
Crowley	Levin	Simmons
Cummings	Lewis (GA)	Slaughter
Davis (CA)	Lipinski	Smith (NJ)
Davis (FL)	LoBiondo	Smith (WA)
Davis (IL)	Lofgren, Zoe	Snyder
DeGette	Lowey	Solis
Delahunt	Lynch	Spratt
DeLauro	Maloney	Stark
Dicks	Markey	Strickland
Dingell	Matsui	Sweeney
Doggett	McCarthy	Tauscher
Doyle	McCollum (MN)	Tierney
Ehlers	McDermott	Towns
Emanuel	McGovern	Udall (CO)
Engel	McKinney	Udall (NM)
Eshoo	McNulty	Upton
Farr	Meehan	Van Hollen
Fattah	Meek (FL)	Velázquez
Ferguson	Meeks (NY)	Visclosky
Finer	Millender	Walsh
Fitzpatrick (PA)	McDonald	Wasserman
Ford	Miller (NC)	Schultz
Frank (MA)	Miller, George	Waters
Frelinghuysen	Mollohan	Watson
Gerlach	Moore (KS)	Watt
Gilchrest	Moore (WI)	Waxman
Gonzalez	Moran (VA)	Weiner
Gordon	Murtha	Weldon (PA)
Green, Al	Nadler	Wexler
Green, Gene	Napolitano	Woolsey
Grijalva	Neal (MA)	Wu
Gutierrez	Obey	Wynn
Harman	Oliver	
Harris	Owens	

NOES—236

Aderholt	Bonilla	Cantor
Akin	Bonner	Capito
Alexander	Bono	Cardoza
Baca	Boozman	Carter
Bachus	Boren	Chabot
Baird	Boswell	Choccola
Baker	Boustany	Coble
Barrett (SC)	Boyd	Cole (OK)
Barrow	Brady (TX)	Conaway
Bartlett (MD)	Brown (SC)	Cramer
Bass	Brown-Waite,	Crenshaw
Beauprez	Ginny	Cubin
Berry	Burgess	Cuellar
Biggart	Burton (IN)	Culberson
Billakis	Butterfield	Davis (AL)
Bishop (GA)	Buyer	Davis (KY)
Bishop (UT)	Calvert	Davis (TN)
Blackburn	Camp (MI)	Davis, Jo Ann
Blunt	Campbell (CA)	Davis, Tom
Boehner	Cannon	Deal (GA)

DeFazio
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Edwards
Emerson
English (PA)
Etheridge
Everett
Feeney
Flake
Foley
Forbes
Fortenberry
Fossella
Fox
Franks (AZ)
Gallegly
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
King (IA)

King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy

NOT VOTING—7

Barton (TX)
Cleaver
Evans

□ 1512

Mrs. EMERSON and Messrs. COBLE, SODREL, EVERETT, BURGESS, HOLDEN and CAMP of Michigan changed their vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. DEFASIO

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. DEFASIO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 184, noes 240, not voting 8, as follows:

[Roll No. 148]

AYES—184

Abercrombie
Ackerman
Allen
Andrews
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boehlert
Boucher
Brady (PA)
Brown, Corrine
Capps
Capuano
Cardin
Carnahan
Carson
Case
Castle
Chandler
Clay
Clyburn
Conyers
Cooper
Costello
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Ehlers
Emanuel
Engel
Eshoo
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Frank (MA)
Frelinghuysen
Gerlach
Gilchrest
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman

Adersholt
Akin
Alexander
Baca
Bachus
Baird
Baker
Barrett (SC)
Bartlett (MD)
Bass
Beauprez
Berry
Biggart
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd

NOES—240

Hastings (FL)
Higgins
Hinchey
Holt
Honda
Hooley
Hostettler
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kildee
Kilpatrick (MI)
Kind
Kirk
Kucinich
Langevin
Lantos
Larsen (WA)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Solis
Lynch
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-
McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)

Culberson
Davis (AL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Edwards
Emerson
English (PA)
Etheridge
Everett
Feeney
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Fox

Franks (AZ)
Gallegly
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
McCrery
McHenry
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinojosa
Hobson
Hoekstra
Holden
Hulshof
Nunes
Hunter
Hyde
Inglis (SC)
Issa
Istook
Otter
Jenkins
Jindal
Paul
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas

Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
Ryan (WI)
McHugh
McIntyre
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Regula

NOT VOTING—8

Barton (TX)
Cleaver
Cole (OK)

□ 1521

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. INSLEE

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Washington (Mr. INSLEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 191, noes 231, not voting 10, as follows:

[Roll No. 149]

AYES—191

Abercrombie
Ackerman
Allen

Andrews
Baldwin
Barrow

Bartlett (MD)
Bean
Becerra

Aderholt	Coble	Granger
Akin	Cole (OK)	Graves
Alexander	Conaway	Green (WI)
Bachus	Cooper	Gutknecht
Baird	Crenshaw	Hall
Baker	Cubin	Harris
Barrett (SC)	Cuellar	Hart
Bass	Culberson	Hastings (WA)
Beauprez	Davis (KY)	Hayes
Berry	Davis (TN)	Hayworth
Biggert	Davis, Jo Ann	Hefley
Bishop (GA)	Davis, Tom	Hensarling
Bishop (UT)	Deal (GA)	Herger
Blackburn	DeFazio	Hersteth
Blunt	DeLay	Hobson
Boehner	Dent	Hoekstra
Bonilla	Diaz-Balart, L.	Hostettler
Bonner	Diaz-Balart, M.	Hulshof
Bono	Doolittle	Hunter
Boozman	Drake	Hyde
Boren	Dreier	Inglis (SC)
Boswell	Duncan	Issa
Boustany	Edwards	Istook
Boyd	Emerson	Jenkins
Brady (TX)	English (PA)	Jindal
Brown (SC)	Everett	Johnson, Sam
Brown-Waite,	Feeney	Jones (NC)
Ginny	Flake	Keller
Burgess	Foley	Kennedy (MN)
Burton (IN)	Forbes	King (IA)
Butterfield	Fortenberry	King (NY)
Buyer	Fossella	Kingston
Calvert	Fox	Kline
Camp (MI)	Franks (AZ)	Knollenberg
Campbell (CA)	Gallegly	Kolbe
Cannon	Garrett (NJ)	Kuhl (NY)
Cantor	Gibbons	LaHood
Capito	Gillmor	Latham
Cardoza	Gingrey	LaTourette
Carter	Gohmert	Lewis (CA)
Chabot	Goode	Lewis (KY)
Chocola	Goodlatte	Linder

Lucas	Oxley	Shaw
Lungren, Daniel E.	Paul	Sherwood
Mack	Pearce	Shimkus
Manzullo	Pence	Shuster
Marchant	Peterson (MN)	Simpson
Marshall	Peterson (PA)	Skelton
Matheson	Pickering	Smith (TX)
McCaul (TX)	Pitts	Sodrel
McCotter	Platts	Souder
McCrery	Poe	Stearns
McHenry	Pombo	Sullivan
McHugh	Pomeroy	Sweeney
McIntyre	Porter	Tancred
McKeon	Price (GA)	Tanner
McMorris	Pryce (OH)	Taylor (NC)
Melancon	Putnam	Terry
Mica	Radanovich	Thomas
Miller (FL)	Regula	Thompson (CA)
Miller (MI)	Rehberg	Thompson (MS)
Miller, Gary	Renzi	Thornberry
Moran (KS)	Reynolds	Tiahrt
Murphy	Rogers (AL)	Tiberi
Musgrave	Rogers (KY)	Turner
Myrick	Rogers (MI)	Upton
Neugebauer	Rohrabacher	Walden (OR)
Ney	Ros-Lehtinen	Wamp
Northup	Ross	Weldon (FL)
Norwood	Royce	Weller
Nunes	Ryan (WI)	Westmoreland
Nussle	Ryun (KS)	Wick
Oberstar	Schmidt	Wilson (NM)
Ortiz	Scott (GA)	Wilson (SC)
Osborne	Sensenbrenner	Wolf
Otter	Sessions	Young (AK)
	Shadegg	

NOT VOTING—7

Barton (TX)	Kaptur	Stupak
Cleaver	Kennedy (RI)	
Evans	Larson (CT)	

□ 1537

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN (Mr. FOSSELLA). There being no other amendments, the question is on the amendment in the nature of a substitute.

The amendment in the nature of a substitute was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. REHBERG) having assumed the chair, Mr. FOSSELLA, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4200) to improve the ability of the Secretary of Agriculture and the Secretary of the Interior to promptly implement recovery treatments in response to catastrophic events affecting Federal lands under their jurisdiction, including the removal of dead and damaged trees and the implementation of reforestation treatments, to support the recovery of non-Federal lands damaged by catastrophic events, to revitalize Forest Service experimental forests, and for other purposes, pursuant to House Resolution 816, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment in the nature of a substitute.

The amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. INSLEE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on passage of H.R. 4200 will be followed by a 5-minute vote on adoption of House Resolution 815.

The vote was taken by electronic device, and there were—ayes 243, noes 182, not voting 7, as follows:

[Roll No. 151]

AYES—243

Aderholt	Emerson	Mack
Akin	English (PA)	Maloney
Alexander	Etheridge	Manzullo
Baca	Everett	Marchant
Bachus	Feeney	Marshall
Baird	Flake	Matheson
Baker	Foley	McCaul (TX)
Barrett (SC)	Forbes	McCotter
Barrow	Fortenberry	McCrery
Bartlett (MD)	Fossella	McHenry
Bass	Fox	McHugh
Beauprez	Franks (AZ)	McIntyre
Berry	Gallegly	McKeon
Biggart	Garrett (NJ)	McMorris
Bilirakis	Gibbons	Melancon
Bishop (GA)	Gilchrest	Mica
Bishop (UT)	Gillmor	Michaud
Blackburn	Gingrey	Miller (FL)
Blunt	Gohmert	Miller (MI)
Boehner	Goode	Miller, Gary
Bonilla	Goodlatte	Moran (KS)
Bonner	Gordon	Murphy
Bono	Granger	Murtha
Boozman	Graves	Musgrave
Boren	Green (WI)	Neugebauer
Boswell	Gutknecht	Ney
Boustany	Hall	Northup
Boyd	Harris	Norwood
Brady (TX)	Hart	Nunes
Brown (SC)	Hastings (WA)	Nussle
Brown-Waite,	Hayes	Oberstar
Ginny	Hayworth	Ortiz
Burgess	Hefley	Osborne
Burton (IN)	Hensarling	Otter
Butterfield	Herger	Oxley
Buyer	Herseth	Paul
Calvert	Hinojosa	Pearce
Camp (MI)	Hobson	Pence
Campbell (CA)	Hoekstra	Peterson (MN)
Cannon	Holden	Peterson (PA)
Cantor	Hostettler	Pickering
Capito	Hulshof	Pitts
Cardoza	Hunter	Platts
Carter	Hyde	Poe
Chabot	Inglis (SC)	Pombo
Chocola	Issa	Pomeroy
Coble	Istook	Porter
Cole (OK)	Jefferson	Price (GA)
Conaway	Jenkins	Pryce (OH)
Costa	Jindal	Putnam
Cramer	Johnson, Sam	Radanovich
Crenshaw	Jones (NC)	Regula
Cubin	Keller	Rehberg
Cuellar	Kennedy (MN)	Renzi
Culberson	King (IA)	Reyes
Davis (AL)	King (NY)	Reynolds
Davis (KY)	Kingston	Rogers (AL)
Davis (TN)	Kline	Rogers (KY)
Davis, Jo Ann	Knollenberg	Rogers (MI)
Davis, Tom	Kolbe	Rohrabacher
Deal (GA)	Kuhl (NY)	Ros-Lehtinen
DeLay	LaHood	Ross
Dent	Latham	Royce
Diaz-Balart, L.	LaTourette	Ryan (WI)
Diaz-Balart, M.	Lewis (CA)	Ryun (KS)
Doolittle	Lewis (KY)	Salazar
Drake	Linder	Schmidt
Dreier	Lucas	Scott (GA)
Duncan	Lungren, Daniel E.	Sensenbrenner
Edwards		Sessions

Shadegg	Tancred	Wamp
Shaw	Tanner	Weldon (FL)
Sherwood	Taylor (MS)	Weller
Shimkus	Taylor (NC)	Westmoreland
Shuster	Terry	Whitfield
Simpson	Thomas	Wicker
Skelton	Thompson (MS)	Wilson (NM)
Smith (TX)	Thornberry	Wilson (SC)
Sodrel	Tiahrt	Wolf
Souder	Tiberi	Young (AK)
Stearns	Turner	Young (FL)
Sullivan	Walden (OR)	

NOES—182

Abercrombie	Hastings (FL)	Pascarell
Ackerman	Higgins	Pastor
Allen	Hinchey	Payne
Andrews	Holt	Pelosi
Baldwin	Honda	Petri
Bean	Hooley	Price (NC)
Becerra	Hoyer	Rahall
Berkley	Inslee	Ramstad
Berman	Israel	Rangel
Bishop (NY)	Jackson (IL)	Reichert
Blumenauer	Jackson-Lee	Rothman
Boehrlert	(TX)	Roybal-Allard
Boucher	Johnson (CT)	Ruppersberger
Bradley (NH)	Johnson (IL)	Rush
Brady (PA)	Johnson, E. B.	Ryan (OH)
Brown (OH)	Jones (OH)	Sabo
Brown, Corrine	Kanjorski	Sánchez, Linda T.
Capps	Kaptur	Sanchez, Loretta
Capuano	Kelly	Sanders
Cardin	Kildee	Saxton
Carnahan	Kilpatrick (MI)	Schakowsky
Carson	Kind	Schiff
Case	Kirk	Schwartz (PA)
Castle	Kucinich	Schwarz (MI)
Chandler	Langevin	Scott (VA)
Clay	Lantos	Serrano
Clyburn	Larsen (WA)	Shays
Conyers	Leach	Sherman
Cooper	Lee	Simmons
Costello	Levin	Slaughter
Crowley	Lewis (GA)	Smith (NJ)
Cummings	Lipinski	Smith (WA)
Davis (CA)	LoBiondo	Snyder
Davis (FL)	Lofgren, Zoe	Solis
Davis (IL)	Lowe	Spratt
DeFazio	Lynch	Stark
DeGette	Markey	Strickland
Delahunt	Matsui	Sweeney
DeLauro	McCarthy	Tauscher
Dicks	McCollum (MN)	Thompson (CA)
Dingell	McDermott	Tierney
Doggett	McGovern	Towns
Doyle	McKinney	Udall (CO)
Ehlers	McNulty	Udall (NM)
Emanuel	Meehan	Upton
Engel	Meek (FL)	Van Hollen
Eshoo	Meeks (NY)	Velázquez
Farr	Millender	Vislosky
Fattah	McDonald	Walsh
Ferguson	Miller (NC)	Wasserman
Filner	Miller, George	Schultz
Fitzpatrick (PA)	Mollohan	Waters
Ford	Moore (KS)	Watson
Frank (MA)	Moore (WI)	Watt
Frelinghuysen	Moran (VA)	Waxman
Gerlach	Nadler	Weiner
Gonzalez	Napolitano	Weldon (PA)
Green, Al	Neal (MA)	Wexler
Green, Gene	Obey	Woolsey
Grijalva	Olver	Wu
Gutierrez	Owens	Wynn
Harman	Pallone	

NOT VOTING—7

Barton (TX)	Kennedy (RI)	Stupak
Cleaver	Larson (CT)	
Evans	Myrick	

□ 1557

Mr. MURTHA and Mr. LINDER changed their vote from “no” to “aye.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

The SPEAKER pro tempore. The pending business is the vote on adoption of House Resolution 815 on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 227, nays 195, not voting 10, as follows:

[Roll No. 152]

YEAS—227

Aderholt	Gibbons	Northup
Akin	Gilchrest	Norwood
Alexander	Gillmor	Nunes
Bachus	Gingrey	Nussle
Baker	Gohmert	Osborne
Barrett (SC)	Otter	Oxley
Bartlett (MD)	Goodlatte	Paul
Barton (TX)	Graves	Pearce
Bass	Green (WI)	Pence
Beauprez	Gutknecht	Peterson (PA)
Biggart	Hall	Petri
Bilirakis	Harris	Pickering
Bishop (UT)	Hart	Pitts
Blackburn	Hastings (WA)	Platts
Blunt	Hayes	Poe
Boehlert	Hayworth	Pombo
Boehner	Hefley	Porter
Bonilla	Herger	Price (GA)
Bonner	Hobson	Pryce (OH)
Bono	Hoekstra	Putnam
Boozman	Hostettler	Radanovich
Boustany	Hulshof	Ramstad
Bradley (NH)	Hunter	Regula
Brown (SC)	Hyde	Rehberg
Brown-Waite,	Inglis (SC)	Reichert
Ginny	Issa	Renzi
Burgess	Istook	Reynolds
Burton (IN)	Jenkins	Rogers (AL)
Buyer	Jindal	Rogers (KY)
Calvert	Johnson (CT)	Rogers (MI)
Camp (MI)	Johnson (IL)	Rohrabacher
Campbell (CA)	Johnson, Sam	Ros-Lehtinen
Cannon	Jones (NC)	Royce
Cantor	Keller	Ryan (WI)
Capito	Kelly	Ryun (KS)
Carter	Kennedy (MN)	Saxton
Castle	King (IA)	Schmidt
Chabot	King (NY)	Schwarz (MI)
Chocola	Kingston	Sensenbrenner
Coble	Kirk	Sessions
Cole (OK)	Kline	Shadegg
Conaway	Knollenberg	Shaw
Crenshaw	Kolbe	Shays
Cubin	Kuhl (NY)	Sherwood
Culberson	LaHood	Shimkus
Davis (KY)	Latham	Shuster
Davis, Jo Ann	LaTourette	Simmons
Davis, Tom	Leach	Simpson
Deal (GA)	Lewis (CA)	Smith (NJ)
DeLay	Lewis (KY)	Smith (TX)
Dent	Linder	Sodrel
Diaz-Balart, L.	LoBiondo	Souder
Diaz-Balart, M.	Lucas	Stearns
Doolittle	Lungren, Daniel	Sullivan
Drake	E.	Sweeney
Dreier	Mack	Tancredo
Duncan	Manzullo	Taylor (NC)
Ehlers	Marchant	Terry
Emerson	McCaul (TX)	Thomas
English (PA)	McCotter	Thornberry
Everett	McCrery	Tiahrt
Feeney	McHenry	Tiberi
Ferguson	McHugh	Turner
Fitzpatrick (PA)	McKeon	Upton
Flake	McMorris	Walden (OR)
Foley	Mica	Walsh
Forbes	Miller (FL)	Wamp
Fortenberry	Miller (MI)	Weldon (FL)
Fossella	Miller, Gary	Weldon (PA)
Fox	Moran (KS)	Weller
Franks (AZ)	Murphy	Westmoreland
Frelinghuysen	Musgrave	Whitfield
Gallegly	Myrick	
Garrett (NJ)	Neugebauer	
Gerlach	Ney	

Wicker
Wilson (NM)

Wilson (SC)
Wolf

Young (AK)
Young (FL)

NAYS—195

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon

NOT VOTING—10

Brady (TX)
Cleaver
Evans
Granger

Hensarling
Kennedy (RI)
Larson (CT)
Marshall

□ 1608

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2567

Ms. BALDWIN. Mr. Speaker, I ask unanimous consent to have my name removed from H.R. 2567.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 4 o'clock and 9 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1745

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. KUHLMAN of New York) at 5 o'clock and 45 minutes p.m.

REPORT ON RESOLUTION PRO- VIDING FOR FURTHER CONSID- ERATION OF H. CON. RES. 376, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2007

Mr. PUTNAM, from the Committee on Rules, submitted a privileged report (Rept. No. 109-468) on the resolution (H. Res. 817) providing for consideration of the concurrent resolution (H. Con. Res. 376) establishing the congressional budget for the United States Government for fiscal year 2007 and setting forth appropriate budgetary levels for fiscal years 2008 through 2011, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PRO- VIDING FOR CONSIDERATION OF H.R. 5386, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRI- ATIONS ACT, 2007

Mr. PUTNAM, from the Committee on Rules, submitted a privileged report (Rept. No. 109-469) on the resolution (H. Res. 818) providing for consideration of the bill (H.R. 5386) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR FURTHER CONSID- ERATION OF H. CON. RES. 376, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2007

Mr. PUTNAM. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 817 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 817

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the concurrent resolution (H. Con. Res. 376) establishing the congressional budget for the United States Government for fiscal year 2007 and setting forth

appropriate budgetary levels for fiscal years 2008 through 2011. The amendments printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. The concurrent resolution, as amended, shall be considered as read. No further amendment shall be in order except those printed in part B of the report of the Committee on Rules. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for 40 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. All points of order against the amendments printed in the report are waived except that the adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of the concurrent resolution for amendment. After the conclusion of consideration of the concurrent resolution for amendment and a final period of general debate, which shall not exceed 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget, the Committee shall rise and report the concurrent resolution, as amended, to the House with such further amendment as may have been adopted. The previous question shall be considered as ordered on the concurrent resolution and amendments thereto to final adoption without intervening motion except amendments offered by the chairman of the Committee on the Budget pursuant to section 305(a)(5) of the Congressional Budget Act of 1974 to achieve mathematical consistency. The concurrent resolution shall not be subject to a demand for division of the question of its adoption.

Sec. 2. After adoption of House Concurrent Resolution 376, it shall be in order to take from the Speaker's table Senate Concurrent Resolution 83 and to consider the Senate concurrent resolution in the House. All points of order against consideration of the Senate concurrent resolution are waived. It shall be in order to move to strike all after the resolving clause of the Senate concurrent resolution and to insert in lieu thereof the provisions of House Concurrent Resolution 376 as adopted by the House. All points of order against that motion are waived. If the motion is adopted and the Senate concurrent resolution, as amended, is adopted, then it shall be in order to move that the House insist on its amendment to the Senate concurrent resolution and request a conference with the Senate thereon.

The SPEAKER pro tempore. The gentleman from Florida (Mr. PUTNAM) is recognized for 1 hour.

Mr. PUTNAM. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. PUTNAM asked and was given permission to revise and extend his remarks.)

Mr. PUTNAM. Mr. Speaker, House Resolution 817 is the rule that provides for debate on House Concurrent Resolution 376, which is the Federal budget, the bill that establishes the Federal spending priorities for the United States Government for fiscal year 2007, and setting forth the appropriate budgetary levels for the outyears in 2008 through 2011.

As a member of both the Rules Committee and someone who serves on the Budget Committee, I am pleased to bring this resolution to the floor for the House's consideration. This rule makes in order three substitute amendments, three different viewpoints on the direction that Federal spending should take for the coming fiscal year.

Each of those will be debatable for 40 minutes. The rule waives all points of order against consideration of the concurrent resolution.

I come to the floor today, Mr. Speaker, with a resolution that allows us to complete the debate and passage for the House budget resolution for fiscal year 2007. It is a work product over many, many weeks, beginning with Chairman NUSSLE and Ranking Member SPRATT in the Budget Committee, along with all of the Members of this House to bring it to fruition here today.

The resolution continues policies that have helped to continue a strong U.S. economy. We have included savings for working Americans with \$228 billion in further tax reforms. We account for the tax cut, the tax reforms, that this House passed last week by a vote of 244-185 to extend 2001 and 2003 tax relief and preventing automatic tax increases from taking place.

That bill was signed into law today by the President, again preventing tax increases from coming on the backs of the American people. Those provisions included alternative minimum tax relief, that insidious tax that was proffered under Chairman Rostenkowski's reign at the Ways and Means Committee under Democratic rule, that is now taking into its arms, grasping within its reach millions of middle-class Americans who unknowingly are being swept into a net of higher taxation; House-passed pension bill; and other tax relief.

The continuation of these successful economic policies is generating record revenue levels for the Federal Government without increasing taxes. In other words, a strong and growing economy is bringing additional revenue into the Federal Government as a result of enhanced economic activity brought about by lower tax barriers.

While working to give Americans back some of their hard-earned dollars, we also enact a responsible spending plan that exercises control and restraint. I am proud that once again this House has delivered a budget that practices conscientious spending. Our goal is to stem the ever-expanding outflow of Federal dollars.

We hold nonsecurity discretionary spending to a near freeze and create mandatory savings, mandatory being that portion of the budget which now makes up over 55 percent of Federal spending. It is essentially on automatic pilot, and if it is not brought under control, it will consume two-thirds of Federal spending within the decade.

We bring about mandatory savings of nearly \$7 billion over 5 years. Together

these policies, the policies of economic stimulation and fiscal restraint, will reduce the deficit by more than half, from the \$521 billion projected in 2004 to under \$200 billion in 2009.

House Concurrent Resolution 376 has an overall discretionary spending level that is equal to the President's budget at \$873 billion.

As is the case with our bifurcated budgeting and appropriations process, the discretion lies with the House Appropriations Committee to determine the final allocation of these funds.

This budget essentially freezes nonsecurity discretionary spending with only a .1 percent increase over last year's level, and as an additional savings method, this budget caps the advance appropriations.

In the area of mandatory spending, we provide a total of \$1.5 trillion in entitlement spending. In an effort to control this automatic outflow of Federal dollars, the budget resolution calls for mandatory spending reforms from a number of different committees, allowing regular order to reign, along the authorizing committees, to find the proper waste, fraud, duplication and inefficiencies using their own expertise in the various subject matters. These savings total \$6.75 billion over 5 years.

Mr. Speaker, I am pleased that this year the Budget Committee included an emergency reserve fund to help Congress plan for unforeseen costs that arise in the future. Every year somewhere in America there is an earthquake or a flood, or a hurricane, or a wildfire, or a drought, or a massive snowstorm that requires Federal spending that was unforeseen.

But the fact that it happens every year means that we ought to be able to foresee that something bad is going to happen. We may not know exactly what it will be, it may not rise to the level of Katrina in scale and scope, and, heaven help us, we hope that it does not, but we know that emergencies will arise.

This budget plans for those emergencies, and we set aside in addition \$50 billion toward what we anticipate will be a wartime supplemental request, and again set aside nearly \$6.5 billion for other emergencies stemming from natural disasters.

Mr. Speaker, I am proud of the work of this Budget Committee, Chairman NUSSLE, Ranking Member SPRATT, for pushing forward a budget that has fiscal discipline, restraint. It incorporates real reforms on the mandatory side as well as providing for the tools that allow this economy to continue to grow and strengthen.

Mr. Speaker, I urge the House to support the rule and the underlying bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank my good friend from Florida (Mr. PUTNAM) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, we waited months for this? The fact is what we have before us is a sham. What the Republicans have come up with is essentially a shell game. Under this so-called grand compromise, moderate Republicans can increase spending on domestic programs, but only if they cut other domestic priorities.

In other words, if you want more money for children's immunizations or more money for No Child Left Behind, you have to cut funding for Medicaid or further cut student aid. This is the classic definition of robbing Peter to pay Paul.

So to the moderates, let me say after all of us, you have got some words, but in reality you have got nothing. Do not be a cheap date. The responsibility is to the people of this country to make sure that their needs are met, not to saving face. Heaven forbid that the richest in this country do not get their capital gains tax cuts so that we can adequately fund health care and veterans benefits and education.

No, those precious tax cuts are protected. So tonight the crowd on Wall Street can have champagne and caviar at Tavern on the Green while the people who work on Main Street are scratching their heads with disbelief and asking why has their government forgotten them?

The misplaced priorities demonstrated in this budget are astounding. Last month we had a debate on the first rule for the fiscal year 2007 budget resolution. My friends on the other side of the aisle laid out their plans and did their best to defend their priorities.

Unfortunately, Mr. Speaker, their plans are misguided, and their priorities are out of step with the American people. This is a major reason why it has taken weeks and weeks for the Republican leadership to try to jam their budget through this House. Under the Republican budget, our Nation's deficits get worse, not better.

Remember, under Republican policies, the 5 largest deficits in the history of the United States of America will have occurred in 5 consecutive years.

Further, this budget provides only \$50 billion for the wars in Iraq and Afghanistan. I cannot figure out if they have forgotten about these wars or somehow stumbled onto an exit strategy. The truth is that we know the administration will request hundreds of billions of dollars for these wars in the next few years, but this budget makes no mention of that.

Under the Republican budget, up is down, down is up, and the war we see every day is not really happening. The Republicans once again underfund port security, despite their rhetoric of the Dubai Ports deal. Recently the Republicans followed the Democrats' lead and opposed President Bush's approval of the United Arab Emirates control of American ports.

□ 1800

But when faced with the opportunity to follow through on their rhetoric,

they decided to cut port security by over \$6 billion over the next 5 years.

Under this budget resolution, the Republicans make \$228 billion available for new tax cuts, but in the process cut important education, health, and environmental programs.

Cutting these programs for tax cuts is deplorable. Deceiving the American people about future funding for the wars in Iraq and Afghanistan is flat wrong. But the most egregious thing about this budget is the way it disrespects our veterans.

My friend from Florida is fond of saying that facts are a stubborn thing. Indeed they are, and here are just a few facts:

According to the Department of Defense, there are almost 297,000 troops currently stationed in Iraq and Afghanistan. Since 2003, the beginning of the war in Iraq, more than 1.2 million troops have served in Iraq and Afghanistan. These are troops that are most likely to need the services of the Veterans Affairs health care systems. These are the troops that will need the most help from this Congress. The costs of their treatment are substantial, yet the Republican budget actually cuts the funding that supports the veterans health care systems. The truth is there are two parts of the veterans funding in this budget, mandatory funding that is guaranteed to be there, and discretionary funding that is subject to appropriations. When mandatory funding is subtracted from the overall funding level, the truth is revealed; and the truth is that after fiscal year 2007 the amount of funding for veterans decreases by \$4 billion. The administration claims they can live with these decreases because the number of veterans will decrease over the next few years. Well, the truth is that there was a 21 percent increase in the number of Iraq war veterans using the VA health care system in the first 3 months of 2006 alone. As of March 14, 2006, the VA had already treated 144,426 veterans, 33,858 more than the administration projected would use the VA system over the entire year.

The administration projected that it would treat 18,000 veterans from the Iraq and Afghanistan wars for post-traumatic stress disorder for fiscal year 2006, but as of March 14, 2006, VA data shows that it is already treating 20,638 veterans for PTSD, an increase of 2,638 before the middle of March.

How then with good conscience can they claim that the number of veterans needing care through the VA health systems will go down in the future? This is either dangerously naive or deliberately misleading. And the claim that the VA could get by with reduced funding would be laughable if it didn't have such serious ramifications.

Just look at what happened last year. The Republican leadership in the House provided \$1.5 billion less than what the veterans services organizations recommended for the VA. For months we were told by the Repub-

licans that, don't worry, everything will be fine. But finally in November the leadership finally relented and provided the amount needed to provide care for our veterans because they saw what was going on.

Well, it is *deja vu* all over again. The Republicans are calling for cuts to the VA system, but we all know we are going to need to provide more funding to meet the demand of the current soldiers who will be the veterans of tomorrow.

Mr. Speaker, the Democrats have alternatives. We have a plan that is simple. Besides reducing the deficit, reinstating the pay-as-you-go-system, and properly funding education, health care, and homeland security, we give the veterans the services and respect that they deserve. Our budget provides \$6 billion more than the Republican budget does for veterans health care.

My Republican friends charge the Democrats believe enough is never enough. Well, Mr. Speaker, when it comes to America's veterans, I strongly believe that enough is enough only when veterans have timely access to quality health care that they were promised. I believe enough is enough only when our veterans are not forced to wait 6 months for a doctor's appointment. I believe enough is enough only when our veterans and our veterans' families are cared for with the utmost respect and are not short-changed. We can and we must do better.

Mr. Speaker, I reserve the balance of my time.

Mr. PUTNAM. Mr. Speaker, obviously this is one of the most important debates of the year as it lays out the blueprint, the outline for Federal priorities. Where we place our priorities is generally where we allocate funding, and the Republican budget divides those priorities between creating incentives for people to continue to grow their businesses, to create an atmosphere of record low unemployment which we enjoy in this country today of 4.8 percent, creating incentives for people to purchase a new piece of equipment, add a new assembly line, add a new store, take on a new employee, fiscal restraint to go along with that economic growth.

Fiscal restraint on the discretionary side where there is a near freeze in discretionary spending, and on the mandatory side which is gobbling up the budget at a record rate, where we for the second year in a row, something that is unprecedented in modern budgeting history, for the second year in a row are looking for savings on that mandatory side of the ledger that so many previous Congresses have been afraid to touch, and bringing about important reforms so that people have confidence in where their hard-earned tax dollars are going.

Mr. Speaker, I see that my friend from Massachusetts has a number of speakers, and I will reserve the balance of my time and look forward to a thorough vetting of this important issue.

Mr. MCGOVERN. Mr. Speaker, I yield 5 minutes to the gentlewoman from New York, the ranking Democrat on the House Rules Committee, Ms. SLAUGHTER.

Ms. SLAUGHTER. I thank the gentleman for yielding.

Mr. Speaker, every justification of the budget we have heard today presents it as a noble and responsible attempt to respond to the harsh economic realities facing our Nation and our people. But when we examine it objectively, we can't avoid seeing the reality behind the pretense.

The bill is designed to do everything it can to protect the record tax cuts for the richest of Americans. For the majority, that is more important than educating our children or providing health care to the veterans or helping Americans raise themselves out of poverty, or even protecting our country from the consequences of either national disasters or mounting national debt.

The authors and supporters of the legislation will tell us that if we wish to avoid increasing our national deficit, which they have already driven to unprecedented heights, we have no choice but to spend on the programs that Americans rely on the most while they are busily cutting out the revenues that come into the government.

But, once again, they are offering a false choice. For 5 years they have forced the massive tax cuts through the Congress. Last week they made the most recent down payment on the cuts. One was \$70 billion. While President Bush signs that bill into law today, Republicans are asking us to pass this bill which adds another \$158 billion to those cuts. So in 2 weeks, we have made those massive cuts, and any justification melts away when we realize who is benefiting from it. They are not for the poor, they are not for the working class, they are not for the middle class. They are for the oil companies. They won't spur our economy or help the average person afford their morning drive to work. They are instead the cuts for billionaires and millionaires, pure and simple. They are not going to help the economy, but they will indeed help people who don't need it, and that assistance will come at the expense of everyone else.

But as always the case, despite objections not just from Democrats but much of the American public, reducing or extending these cuts isn't even on the table here. It never is. They are considered too sacred to touch. And just tonight in the Rules Committee, once again, we turned down an opportunity to pay for more by taking away part of their tax cut.

What do we get in exchange for this giveaway? Well, the majority offered us a budget that will cut domestic spending between 1 and 2 percent every year. As a result, the party that tells us to support the troops is cutting veterans health care by \$6 billion. And we worry and fear for the over 20,000 young

soldiers in Iraq and Afghanistan who have been grievously life-altering wounded will not be able to get the care they need when they come back.

Republicans who promised to leave no child behind will be cutting education funding by \$45.3 billion, and the budget of the Department of Education by \$2.2 billion.

Now, not content to make education less rewarding in the present, they apparently want to make our students worry more about loan payments in the future. The bill eliminates all mandatory spending on student loans, leaving congressional appropriators to somehow find \$600 million to meet the students' needs.

The majority wants to cut environmental protection efforts by \$25 billion, and take over \$1 billion from community development and social service initiatives which we desperately need.

The poorest of the poor won't find any relief at all in this legislation. In fact, they will find the opposite. The budget will underfund housing and child care assistance by \$447 million over the next year, and over 5 years the funding for them will fall almost \$15 billion short.

What will the results be? Well, consider the fate of the commodity supplemental food program which provides nutritious meals to 420,000 low-income elderly and 50,000 mothers and children at a cost of \$111 million a year. The budget eliminates it entirely.

Mr. Speaker, it may make sense that they are forcing the cuts through Congress so they can afford the hand-outs to the rich, but perhaps that really is what today's Republican Party stands for. But apparently they also stand for something new, contrary to their rhetoric: irresponsible government spending. The legislation before us will increase our deficit without a vote by \$410 billion over the next 5 years. At the same time, it increases the debt limit by over \$650 billion. By 2011, the limit will stand at \$9.6 trillion.

When the Clinton administration left office, the debt limit was about \$4.5 trillion, and they left us the greatest surplus we have ever had. The majority claims the bill will make us more fiscally secure, but what they really do is sow the seeds of greater insecurity both now and for years to come. When we realize that it isn't necessity driving this bill, but rather a world view that puts the richest Americans ahead of everybody else, we are not left with much else to say but "shame."

We don't share these values. Democrats believe instead, as did that great Republican President Theodore Roosevelt and countless other Americans, that investing in the middle class, which is disappearing quickly, and guaranteeing broad prosperity is the surest way to ensure sustained economic growth.

Mr. PUTNAM. Mr. Speaker, the gentlewoman raised the issue of education funding. I would point out that the facts are a bit counter to her assertion.

Take special education, something that has long been a priority of both sides of the aisle. Special education funding goes up for the sixth consecutive year, an increase of \$100 million this year, which is an estimated \$1,500 per student, reaching almost 7 million students who have special needs.

On Pell Grants, the budget provides \$12.7 billion in available Pell Grant aid, for an average grant of nearly \$2,500. More than 5.2 million students would be eligible for these grants, an increase of 60,000 students over the previous year.

Title I, those schools that serve the most in need, the resolution provides nearly \$13 billion for title I grants to help schools in the high poverty communities move ahead with No Child Left Behind; \$1 billion for the Reading First program, and increased funding for charter schools, magnet schools, voluntary public school choice, all substantial funding for these very important programs.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. I thank the gentleman for yielding.

Mr. Speaker, today's time line reveals everything about the programs and the politics of the majority running this Congress. This afternoon they gathered at the White House. The President signed at a time of staggering deficits yet another tax cut skewed to help the most affluent while doing little to help those who needed help.

This evening in the middle of this debate, they are going to recess so they can go to a big fund-raising party and reap the special interest contributions of those who have benefited so much from their cash-and-carry government. And after that, they are going to come back to the floor of this House and vote to raise the national debt as part of this budget. That is right, raise the national debt as part of this budget.

I haven't heard Mr. PUTNAM say anything about the language in here that raises the national debt \$653 billion. It was buried on the bottom of page 121 of their budget.

It is a mere 2 months since they last raised it. They raised the national debt in March, they pass the tax cut, they have a fund-raiser, and they come back to the floor of the House to raise the national debt again. In fact, it is the fifth time under this President that they have raised the national debt: June 2002, May 2003, November 2004, March 2006, May 2006. And do you know what? They are planning to raise it again once the election is over.

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If there is any further clearer evidence that we have a totally irresponsible majority running this country into a fiscal ditch, that is requiring unending borrowing which will saddle

our children with a legacy of debt, I do not know what could more perfectly illustrate it than the events unfolding today.

Sign a tax cut, have a fund-raiser, raise the national debt again: That is the fiscal record of this majority. That is why this budget must be defeated.

Mr. PUTNAM. Mr. Speaker, I reserve my time.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, we are here today to observe a surrender. Once again, our moderate Republican colleagues will hand over their tin swords to the Republican leadership. They are very predictable, and they are my friends, and it is nice to have predictable friends. On every important issue, the moderate Republicans have an unfailing three-step approach to the issue: ineffectual protests, abject surrender, and denial.

Now, they told us for a long time that this budget did not have enough funding for important domestic programs. Indeed, as part of this rule, we have what is called a self-executing rule, which adopts a resolution to mollify the consciences of the Republican moderates. Those are easily mollified.

My colleague from Massachusetts said the gentleman from Florida said facts are stubborn things. Facts are very different from the moderate Republicans. They are the very opposite of stubborn things. They are among the most pliable thing known to man or woman.

So they have a resolution which says, in the summary, it recognizes the need to increase the President's Labor-HHS appropriation by not less than \$7 billion. It recognizes it. It does not do it. It just recognizes it, and on the basis of being able to recognize what they claim is a defect, they are going to vote for this, and that is the deal that is made. Now, I would have liked to have debated their resolution, but it is self-executing.

People watching, I know we are not supposed to refer to them, but we do not address them directly, but we can explain things to them. It gets a little complicated. People might wonder what do we mean by a self-executing resolution. In this case, it allows the moderate Republicans to execute their own moral principles. That is what is self-executing. It allows them to come forward and say, we wish we had more money for poor people, and we have a resolution that says there is not enough money for poor people, and we will vote for that budget that does not have enough money for poor people because we said it does not have enough money. On that, some people consider themselves to have shown independence.

If that was the spirit of independence that motivated this country 250 years ago, that would be the British flag up there and the representative of the Crown. So I hope we defeat this sham,

and maybe the moderate Republicans will grow some spines.

Mr. PUTNAM. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from Massachusetts has had some very harsh words for some Members of this body. I would query the gentleman from Massachusetts, if he would agree, how much is enough spending for the gentleman from Massachusetts?

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. PUTNAM. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, well, I will say this. I would say enough would be what the moderate Republicans said, \$7 billion more for Labor-HHS. The problem is that they said that was enough, but it is not there. So I would be satisfied if my moderate Republican friends simply lived up to their own declaration.

Mr. PUTNAM. Mr. Speaker, reclaiming my time, this negotiation, this process that yields this budget, recognizes that we have a number of challenges at this point in time, and all points of view recognize that we have to create an environment, a climate for economic growth and strength, and we have to have fiscal restraint.

There is not a blank checkbook, as some, perhaps some from Massachusetts or other parts, might suggest where it is just an ongoing, empty, bottomless pit of spending. You have to be responsible about the taxpayers' money. You have to draw lines around it and prioritize, and we have done that in this budget.

In the minority, you have the luxury of not having to rally behind any one particular proposal. In fact, that is why there are two different substitutes offered that offer at least two very different viewpoints from your own caucus.

We have the obligation, we have the responsibility to actually move a product that changes lives. We have the responsibility to actually pass a budget that implements spending controls on an over \$2 trillion Federal budget and put us on a path to cutting the deficit while still securing a climate that allows economic growth and prosperity to continue.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield the gentleman from Massachusetts (Mr. FRANK) 30 seconds so he can respond.

Mr. FRANK of Massachusetts. Mr. Speaker, again, I was simply quoting the moderate Republicans, for one thing.

Secondly, that claim for responsibility and this assumption that they would get the job done would be more impressive if we thought that they in the Senate were going to agree to something.

So, in fact, we had a problem earlier this year where bills passed in somewhat different form in the House and

the Senate were signed into law despite the Constitution, and we now know why, because whether it is lobbying and ethics reform or the budget or immigration, the Republican House and the Republican Senate cannot get together.

I will have to say to the gentleman from Florida that beating of your chest and talking about how responsive you are as to beat the moderates into submission would be more impressive if I thought you had any chance of getting an actual budget signed by the Senate.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member on the Appropriations Committee.

Mr. OBEY. Mr. Speaker, for weeks we have been wondering whether the Republican moderates were going to stick to their guns when they said they knew that it was wrong to pass a budget that provided \$40 billion in tax cuts for people making \$1 million a year while you are squeezing the guts out of education and health programs. We now know the answer. They are doing a poor imitation of Bert Lahr, the Cowardly Lion in "The Wizard of Oz." I wish Bert were here. He would cry at their performance.

The fact is they are now selling out for a promise that if sometime in the deep, dark, distant future somebody does something to change this budget resolution, then there might be a table scrap or two left for additional education and health care. There is about as much chance of that happening as there is of the Chicago Cubs winning the pennant this year.

With respect to what the gentleman from Florida said on education, the fact is the Congress promised the States that on special education we would pay for 40 percent of the costs. Each year for the last 3 years, the Federal share of the cost of special education has been cut by budgets that you have voted for.

You talk about Pell Grants. The fact is it costs \$3,400 more to go to a 4-year public college today than it did 5 years ago. The President wanted to solve that by adding \$100 to the Pell Grant program. House Republicans said, no, that was too much. You cut it to \$50, and then when you sent it to the Senate, you cut out the rest of the 50 bucks.

So, in 5 years you have not done one whit to make it easier for people to go to college by increasing the Pell Grants.

So do not give us your crocodile tears, and do not brag incidentally about how much you have increased education for the last 6 years, because there are \$16 billion in the education budget today that would not be there if we had not dragged you kicking and screaming into supporting Labor-Health budgets that in the end were higher than the original House Republican budget.

So I do not mind if the gentleman wants to live in the Land of Oz. Just do not take us there with you.

Mr. PUTNAM. Mr. Speaker, I yield myself such time as I may consume.

It is becoming more and more clear that there is never enough spending, although we will undoubtedly hear from speakers later in the evening who will talk about how they would have fiscal restraint over here, more spending over here, more spending over here and more fiscal restraint over here. They have that luxury being in the minority.

But the bottom line is education funding has gone up year after year after year. Special education funding is at record levels, far higher than it was when the other team was in charge.

Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Texas (Mr. HENSARLING), my good friend from the Budget Committee.

Mr. HENSARLING. Mr. Speaker, I thank the gentleman for yielding, and indeed, it does beg the question, how much Federal spending is enough?

I am reminded yet again that people are entitled to their own opinions, but they are not entitled to their own facts, and, Mr. Speaker, maybe we ought to get a few of the facts on the table. Let us just take a look in our rearview mirror over the last 10 years and see how much money the Federal Government has been spending.

International affairs is up 89.1 percent; natural resources and environment, 43.8 percent; commerce and housing credit, 28.4. Since we have been discussing education training and employment, in 10 years that budget has gone from \$53 billion to \$114 billion. That is an increase of 113 percent. I mean, Mr. Speaker, how much do we need here in Federal spending? Should it be a 130 percent increase in 10 years, 150, 200?

We have to remember, also, Mr. Speaker, where is this money coming from? Although maybe there is literally a printing press down the road, figuratively there is not one. All of this money is coming from some American family, and every time we are increasing some Federal program, we are taking it away from some family program. Right now, again, budgets are about values, and they are about dollars and cents, and ultimately, this debate does come down again to taxes and spending.

The Democrats have said that we are offering all these great tax cuts. I looked very closely in the budget. I am having a little trouble finding that. What I do find is that we are going to prevent a huge automatic tax increase engineered by the other side. It is very fascinating to me in the Federal city how spending is forever; yet tax relief seems to be temporary.

Our colleagues on the other side of the aisle decry any of the tax relief that has occurred under President Bush's watch. So that means they want to take it away. Well, what does that mean? It means, well, the lowest-income taxpayers will see that their taxes are increased 50 percent. It means we lose the 10 percent bracket.

We go to the 15 percent bracket, a 50 percent increase on our lowest-income taxpayers.

Married taxpayers will see the marriage penalty return if they have their way and have their huge automatic tax increases. Taxpayers with children will lose 50 percent of their child tax credits. Taxes on dividends and capital gains could jump as much as 100 percent.

Again, you start to think, well, wait a second, where is all this money coming from? Well, it is coming from families. It is coming from small business.

So how do families all across America afford to send their children to college? How about their education programs? Already, Mr. Speaker, we are now spending over \$22,000 per American household. Last year was the first time since World War II that we have reached that level of spending. All that spending has got to be paid for. It has got to be paid for. It has got to be paid for by American families.

Now, again, our friends on the other side of the aisle want to decry all of the tax relief and say that somehow it is the root cause of the deficit, the increase in the national debt. Well, again, they are entitled to their own opinions. They are not entitled to their own facts.

I happen to have in my hand the latest report from the Treasury statement on revenues, which I would be happy to share with any of my colleagues on the other side of the aisle, that says, guess what, we have more tax revenue. We have more tax receipts. Last year tax receipts increased roughly 15 percent. This year we are on track to have tax revenues increase about 11 percent.

Guess what? Since we have allowed American families and small business to keep more of what they earn, they have gone out and they have created jobs, and people pay taxes, and all of the sudden we have more tax revenues. It is kind of hard to make the argument that somehow tax relief that created 5 million new jobs has somehow added to the national debt. Clearly we have a large challenge with our national debt.

Mr. Speaker, I would say it is not because the American people are undertaxed. In fact, I am surprised that our friends on the other side of the aisle are not applauding the President for really presiding over one of the largest tax increases in American history. Here it is right here. We are awash in new revenue, but we did it the right way, Mr. Speaker. We grew the economy. We created jobs.

Now, what happens if you start to take the tax relief away? Well, again, since we have had tax relief, 5 million new jobs have been created. We have the highest rate of homeownership in the entire history of the United States of America, and yet, if you start to take away the tax relief, if you have these automatic tax increases, you lose the jobs. That is just wrong, Mr. Speaker.

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Mr. MCGOVERN. Mr. Speaker, I yield myself 10 seconds to just respond to the gentleman.

When President Bush came to office, we had a debt of \$5.6 trillion. By the end of this year, it will be over \$9 trillion. By the end of his term, he will have doubled it. So you have done such a wonderful job driving this country into deep debt that we are going to have to pass it on to our children and our grandchildren.

Pay as you go is what we are saying over here. You are the ones who are behaving fiscally irresponsibly.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I am sure my colleagues are familiar with the Kenny Rogers song which says you have to know when to hold and know when to fold. I sure would like to be in a poker game with the Republican moderates. They fold before they even see their cards. They got nothing out of this budget deal, and they are going to tell us how wonderfully they did. It is nothing but a promise, and it will be a promise that is not kept.

My colleague from Florida talks about the bottomless pit of spending. Talking about bottomless pits, let us talk about \$8 billion in subsidies to the oil industry. Let us talk about another \$7 billion in a windfall and not having them pay a royalty tax for the oil they take out of the ground. We just waived it for all of them. And they get a prescription drug bill which has nothing but massive subsidies for the pharmaceutical industry and for the insurance industry. That is where the bottomless pit is.

And you have a tax cut bill, \$70 billion, and you cannot find it in your heart to do something for low-income families? I can tell you what people in this country don't know; that if you make \$11,000 or less, you are not eligible for a child tax credit. But we see that some of the wealthiest people in this Nation get one very, very big tax break.

Let us take a look at what happened between last week and this week when the majority failed to muster the votes on the budget. Are we no longer staring down the barrel of a \$2.2 billion in education cuts, \$8.6 billion in cuts to veterans services, and \$18.1 billion in health care costs? That is exactly what we are looking at.

And I will tell you, we could pay for this budget's \$3 billion shortfall in education, health and workforce training programs with that tax cut's \$4.8 billion in breaks that helps corporations like GE and Citicorp increase their profits overseas.

You know, Republicans today are wondering why the American people have lost all faith in their leadership. The goal of the budget ought to be to benefit the common good. That may seem like a novelty to this Republican majority, but the country is crying out for that leadership.

Mr. PUTNAM. Mr. Speaker, I would point out to the gentlewoman, who has apparently not had an opportunity to review the budget, that there is an additional \$3.1 billion reserve fund for domestic priorities; \$3.1 billion additional for Labor, Health and Human Services, and Education. And in addition to that, we budget for emergencies. We draw lines around the restraint that is necessary to keep the deficit on a path to be cut in half in 5 years. We keep the economy growing.

They rail against the \$70 billion that were involved in tax reconciliation that prevents taxes from going up today, yet their own budget has \$150 billion. Which is it? They talk about not having enough money in our side of the budget, and yet they rail about the deficit.

You can't have it both ways. Well, I guess you can if you are on the floor of the House arguing against a responsible budget plan.

This bill lays out a responsible roadmap towards shrinking the deficit, keeping the economy strong and growing, and being able to look constituents in the eye about the levels of spending. It does not open up a bottomless pit of spending, as some would prefer on the other side of the aisle, where enough is never enough. We recognize that trade-offs have to be made in businesses, in families, and in the Federal Government, and it is important that we look at both sides of the ledger, discretionary and mandatory.

The only thing that my friends on the other side of the aisle could find to clap about in the State of the Union Address was our President and our leadership's noble attempt to rein in mandatory spending, something that both parties' think tanks on each side of the ideological spectrum and administrations of each political party have agreed is in desperate need of help. Yet they can only take glee in the fact that they shut down the first real attempt to reform mandatory spending in a generation.

This budget lays out a framework for reform, restraint, and economic growth, and they are trying to have it not just both ways, but three or four or five different ways.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 5 seconds to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. The gentleman from Florida should not continue to fool the American public. There is no new funding in this bill for health, education and other programs.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. MCDERMOTT).

(Mr. MCDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, May is Foster Care Appreciation Month, when the Nation honors those who open their hearts and homes to Amer-

ica's most vulnerable children. These are children who cannot live at home because it isn't safe.

How ironic and out of touch that the Republican majority should choose May to bring out a budget that neglects America's neglected children by obliterating the funding for the Social Services Block Grant program. This program funds America's response to the SOS of neglected children who need us to protect them.

The Republicans have other priorities: Giving the rich more money. The Republicans believe a safe house for a child is a mansion for the rich, so they will cut \$500 million out of these programs which help the poor in order to give away millions to the rich.

There is no home, no heart and no shame in this Republican budget. They take care of the top 1 percent. They cannot give enough to those people at the top. They cannot borrow enough to give to those people at the top. And they forget about everybody else, including the foster children. That is the American way for the Republicans.

I offered an amendment to change this. They turned it down. Vote "no" on this budget.

Mr. PUTNAM. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. COOPER).

Mr. COOPER. Mr. Speaker, I speak tonight as a cochair of the Blue Dog Coalition, a group of fiscally conservative Democrats, and I speak tonight with some disappointment because I am one in this Chamber who knows how hard it is to put together a budget. It is a tough job that the majority has.

I am sorry that my friends who are moderate Republicans sold out so cheap. And I am even sorrier that my friends who are part of the Republican Study Committee did not get more of what they wished. But it is tough to put together a budget.

In all this blizzard of words and numbers we have been hearing about tonight, there is one central principle that should guide the Members here, at least the ones who are listening and not already at the big Republican fundraiser tonight, and that one central principle that should guide our deliberations is the principle that not only I hold dear, but Alan Greenspan, the former Chairman of the Federal Reserve, one of the great financial minds in this country, said was the single most important reform that this House could undertake. And what is that? It is called pay as you go.

We had it in this country from 1990, under the first President Bush, all the way through the second President Bush. We had it for 12 years, from 1990 to 2002, and then the Republican majority let it expire. But Alan Greenspan said it was the single most important thing we could do to regain our fiscal balance, our fiscal sanity. Yet there is no real pay as you go in the Republican budget. There is in the Democratic budget.

That is why on behalf of the Blue Dogs I urge all of our Members who care about Alan Greenspan, who care about pay as you go, who care about fiscal sanity to vote for PAYGO. Because that is the principle that every family back home understands. If you want something, pay for it.

That is what the Democratic budget does, and I am proud to vote for the Democratic budget tonight.

Mr. MCGOVERN. Mr. Speaker, at this time I yield 2 minutes to the distinguished gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Speaker, I thank the gentleman from Massachusetts for yielding 2 minutes.

Mr. Speaker, I served in the California Legislature for 24 years, half of which was spent in a leadership role, and I believe I know how to engage in a bipartisan process. Unfortunately this budget resolution is not a bipartisan process.

Rather than provide the House with an opportunity to engage in serious and meaningful budget discussions, we are left with this "take it or leave it" package. Today this body acts in a de facto parliamentary fashion. Rather than consider the constructive and realistic solutions to our budget problems, like the Blue Dog 12-point plan that was referenced by Mr. COOPER, that includes a pay-as-you-go provision, we are left with this proposal as our only option. It is a Hobson's choice, which I believe is no choice at all.

Rather than do what our constituents expect us to do, discuss, debate, and have meaningful oversight, make tough policy choices, we are left with a budget package within a failed budget process that is nothing more than a fig leaf to cover a host of fiscal policy shortcomings that have resulted in massive budget deficits over the last 5 years. It is a chronic case of wanting to have your cake and eat it, too.

We cannot continue to tell the American people they can have tax cuts, increased spending, and not impact our budget deficits, but that is what this budget resolution does. I do not believe that a majority of Americans support this way of doing the people's business. They expect us, as adults, to work together to solve the fiscal problems of our Nation. Unfortunately, that is not what is happening in this effort, and I unfortunately must oppose this budget resolution.

Mr. PUTNAM. Mr. Speaker, the gentleman from California and the speaker before him from Tennessee made reference to the Blue Dog budget, and, in fact, there was even reference to how difficult it is to produce a budget. Well, apparently it is so difficult they couldn't do it because there is no Blue Dog substitute.

I tip my hat to the Progressive Caucus. They managed to produce a budget that we will debate on this floor. It is an alternative view of where this Nation ought to be headed. I don't agree

with it, but they made the tough decisions to put it together, embody it in an amendment, and put it to debate on this floor. I tip my hat to Mr. SPRATT, the distinguished ranking member of the committee. They have a substitute amendment.

The Blue Dogs are all bark and no bite. No budget substitute was offered. Apparently putting together a budget that met their own internal divisions proved too difficult in the end.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. BACA).

Mr. BACA. Mr. Speaker, I rise and urge the defeat of this previous question.

It should come as no surprise to anyone in this country that Democrats and Republicans differ in their priorities for America. With the White House set to vote on the budget tonight, I as a Blue Dog oppose the majority party's misguided plan which will result in a staggering \$10 trillion deficit by the year 2010.

The Blue Dog 12-step reform plan is a comprehensive, responsible alternative to the meager attempt to reform and contain the Republican budget. The Blue Dog plan is based on a commitment to resolving the fiscal problems facing our country that includes a call for a balanced budget, strict spending plan, and a pay-as-you-go rule, especially establishing a rainy day justification.

The budget resolution debated tonight will cut critical programs in order to pay for millionaire tax cuts, cuts to food stamps, the WIC program, the school lunch program, the breakfast program, student financial assistance, Community Development Block Grants, veterans health care, and funding to help local law enforcement, to name a few.

I ask our colleagues to defeat this budget. We need to help those poor and disadvantaged, our veterans, our health block grants, and students who need an education.

Mr. PUTNAM. I would ask the gentleman where the Blue Dog budget is? Where is the Blue Dog substitute amendment? We are looking for it. We can't find it. There is no Blue Dog substitute amendment. It is back on the porch. It is in the pound. It is in the kennel. I don't know where it is.

There is a progressive substitute. There is a Spratt substitute. There is no Blue Dog substitute.

Mr. BACA. There is a pay as you go.

Mr. PUTNAM. There is not a Blue Dog substitute.

Mr. BACA. Then you should look at the pay-as-you-go plan. You know that? It is there.

Mr. PUTNAM. Reclaiming my time, Mr. Speaker.

The SPEAKER pro tempore (Mr. KUHLMANN of New York). The gentleman will suspend.

Mr. PUTNAM. There have been three references to a Blue Dog substitute

that is mythical. It is as mythical as the \$727 billion tax gap, Wizard of Oz smoke and mirrors that is in one of the other substitutes. It is as mythical as the numbers that they use to pay for their increased spending.

There is no such thing. There is not a substitute amendment.

Mr. BACA. That is why we are supporting the Democratic substitute amendment, and that is pay as you go. The Democratic substitute budget.

The SPEAKER pro tempore. The gentleman will suspend. The gentleman from Florida has the floor.

Mr. PUTNAM. Well, Mr. Speaker, I think it is pretty clear we made our point.

Mr. Speaker, I reserve the balance of my time.

□ 1845

Mr. MCGOVERN. Mr. Speaker, I reserve the balance of my time.

Mr. PUTNAM. Mr. Speaker, I yield 1 minute to my good friend from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Speaker, I don't know if I would be happier if Americans are watching this debate, or if they are not watching the debate. I am an auctioneer and it sounds almost like an auction: no matter how much we spend it is not enough. But here is something I think all Members need to be aware of. Next year the taxpayers are going to generously provide this Congress and this Federal Government with a 12 percent increase in revenue. Over the next 5 years, the estimate is it will be at least an increase averaging 5.4 percent per year. Now that is at a time when we expect the inflation rate will be somewhere less than 3 percent. In other words, revenue to the Federal Government will be almost double what we project the inflation rate to be.

And Americans watching at home are asking a simple question: Why can't you live within your means? And that is what this budget is about. That is what this debate is about. And I think Americans watching at home must be wondering, how in the world, why is it with a 12 percent increase next year and a 5½ percent increase averaging over the next 5 years, why can't you figure it out to live within your means?

Mr. MCGOVERN. Mr. Speaker, I reserve the balance of my time.

Mr. PUTNAM. Mr. Speaker, I yield 1 minute to the distinguished majority leader, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Mr. Speaker, let me first congratulate the chairman of the Budget Committee, Mr. NUSSLE. This is his sixth year chairing the Budget Committee. As I think most of my colleagues know, it has been six tough years, and Mr. NUSSLE has done a very, very good job in bringing us to this point. And I want to congratulate him and wish him well as he decides to leave the House and to pursue other political interests in the State of Iowa.

I think all of us know that we have been through a long, arduous process

to bring this budget to the floor tonight. It has been months of conversations with Members, not always easy; certainly it has been very difficult. But the process has allowed us to better understand each other, understand our needs, and understand the needs of the American people.

As one of my colleagues earlier was pointing out, revenues to the Federal Government grew last year at over 11 percent. Revenues to the Federal Government this year are going to grow at over 12 percent, which really, I think, speaks volumes, that lowering tax rates does not necessarily mean lower revenues to the Federal Government.

If you look at what we did in the late 1990s when we balanced the budget, it was revenue growing to double digits rates and us holding the line on spending. And I know there is a lot of well-meaning, well-intentioned spending that people would like. But we can't continue to spend our kids' and their kids' inheritance every year, which has gone on here far too long. And if you look at what we are doing here, with revenues rising and holding the line on spending, we can, in fact, balance the budget in the next 4 or 5 years. It is very possible. And so I want to thank all of my colleagues for working with us to get to this point.

I want to yield to my colleague from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Speaker, I thank the majority leader for yielding to me, and I would just like to go through with him and for the edification of those who may not be that familiar with it, some of the negotiations that have been going on with respect to this.

First of all, there are those of us who were concerned about the President's budget, Mr. Majority Leader, and we called that to your attention early on. It is a little bit unusual to be dealing with this at budget time because we are basically with one of the appropriations. And I agree with you that the gentleman from Ohio has done a wonderful job on this. I don't always vote for his budgets, but he has certainly done a wonderful job dealing with this over the years.

But in this particular circumstance, what came down from the President was not satisfactory to some of us, and so I prepared an amendment to increase the Labor HHS Education allocation by \$7.158 billion. We then entered into the negotiations.

I don't remember any time precedence for that in the time that I have been here which has happened at the level of dealing with a specific allocation when we are dealing with the budget. Basically, we were concerned about health accounts. We wanted them increased by \$1.1 billion, education accounts by 4.6; LIHEAP by 1.3 was the primary focus here. I tried to bring it to 2006 funding plus 2 percent for inflation.

We had negotiations with you, sir; we had negotiations with the chairman of

the Appropriations Committee and other House leaders as well. And let me just thank you very much for that. That has not always been the case, and we are very appreciative of it.

Eventually, a decision was made by the leadership to transfer over \$6 billion which was shifted from defense in foreign operations without raising the cap at all with respect to the 302(a) number and \$4.1 billion of that went to Labor, HHS, Education, which is \$843 million more than was received in 2006.

Obviously, this is an important budget to many of us because we are concerned about what happens at home. This relates to health research, which is vital to all of us I think, to IDEA, to Centers for Disease Control, after-school care, vocational education and the National Institutes of Health, just to name a few. And so we increased it by that particular amount of money.

In further negotiations with Mr. LEWIS and with you, we also established some other areas of concern that would be addressed, that is, community development block grants, the Byrne and COPS grants all would be at the 2006 levels, and the President's competitive initiative would be funded at his requested level. So all this was arranged as a matter of negotiation.

There was actually another billion dollars to homeland security and approximately \$500 million to agriculture and \$500 million to energy and water as part of this.

This is probably not ideal. And I am sure there are those who would get up and say, well, gee, why didn't you get the whole loaf? Well, I frankly don't know of anyone who has ever gotten this kind of change made in the budget after the budget has been introduced in terms of building to that.

And more importantly, we have an assurance from you, for whom I have a great deal of respect and trust, having worked with you and listening to your word on the Education Committee all these years, that this will be done, that we'll eventually get to the \$7.158 billion, that we may get to it before we actually vote on the Labor, HHS, Education bill in the House or perhaps later when it might come out of conference. And that is very important as well. That has been repeated again and again and I think needs to be reiterated here today.

Then that raises the question of if this is an assurance or a sense of Congress, versus real money, which is what it really is when you get right down to it. We have received commitments that that additional \$3 billion will not come from mandatory programs that serve the people we are trying to help, like Medicaid and Medicare, food stamps, foster programs and others. We want to make sure that any offsets are carefully crafted and our group of about 20 people that has been involved with this has no intentions of supporting reductions which would adversely affect the neediest among us who we are trying to help by this. And I think it is very

important that everybody understand that we have had that discussion as well in terms of where we are going as far as the future is concerned. So I would like to thank you for the negotiations.

With that, I do support the budget; and, sure, I would like to have the whole loaf, so to speak, if we could. But I understand why we are not there now, and perhaps there will be other changes actually before we vote on this. I don't know.

Mr. BOEHNER. Reclaiming my time, I thank my colleague from Delaware for his willingness to work through these long several months. I think you have very accurately portrayed the agreements that we have come to. And it is important to understand that we were able to do this without spending \$1 more than what the President asked for. The \$873 billion, 302(a) discretionary cap remains in effect. But moving the priorities around to meet the needs of our various Members is how we were able to do this. And any additional spending on the Labor, HHS bill at the end of the day is either going to have to be offset or come from other 302(b) accounts.

And the commitment is that we will get there at the end of the day. We will work with Members across the spectrum in terms of how we get there. But the important thing is that we are able to meet the needs of all of our Members without exceeding the President's numbers.

So I want to thank my colleague, tell him how much I have enjoyed working with him and all of the members of our conference. I am just glad that we are here.

Mr. MCGOVERN. Mr. Speaker, I yield 30 seconds to the distinguished gentleman who is the ranking member on our Budget Committee, Mr. SPRATT.

Mr. SPRATT. I have great respect for the distinguished majority leader, but I have to take exception when he says if we hold the line on spending and let revenues continue, we will balance the budget in 5 years. The deficit this year without offsetting Social Security per this resolution for next year will be \$545 billion. In 5 years, according to this resolution, it will be \$428 billion.

During that same period of time between 2002 and 2011, the debt of the United States will grow to \$11.3 trillion. That is twice its level when President Bush came to office. I don't think we are making the progress that we must make if we are really to get this problem under control.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I am still trying to decipher that colloquy. And it sure looked, smelled and felt like sleight of hand, so chances are it probably was.

But, Mr. Speaker, I rise tonight in support of the Democratic substitute, mainly for two reasons: because of the values and the priorities that are re-

flected in our budget, but also because of another important reason, and that is the budget disciplinary tool that we have called pay-as-you-go that they refuse to implement in their budget. Pay-as-you-go was something that worked very well in the 1990s, which gave us 4 years of budget surpluses where we were actually paying down the national debt, not becoming more dependent on China to be financing our deficits, which is the fiscal policy that they are pursuing. These are real choices that we have to make and pay-as-you-go is one real choice that is distinguished in the Democratic substitute.

The reason why their numbers don't add up is because there is a complete disconnect between their tax-and-spending policy. It is because too many of them believe in this concept of dynamic scoring which means four minus two equals three, not two. And if any third grader today taking their No Child Left Behind math test submitted an answer, four minus two equals three, they would fail and their school would be labeled as a failing school. And that is the problem with the fiscal policies under the majority today. They are failing the American people by leaving a legacy of debt for our children.

Mr. PUTNAM. Mr. Speaker, I yield myself such time as I may consume.

I have a great deal of respect for my friend from Wisconsin with whom we have worked on the budget. The challenges I see with the Democratic substitute are ones that we have pointed out earlier. They depend upon money that doesn't exist to make their numbers work, a tax gap of \$727 billion that the IRS can't find.

Well, if the IRS can't find it, does the other side know where it is? If we have been looking for it for all this time, but they know where it is to the point that they have budgeted it, \$727 billion to make their numbers work, then they must have some better insight as to where that gap is.

It is smoke and mirrors. The CBO won't even score it. The CBO scores it as a zero revenue raiser. And yet they are depending on it for \$727 billion.

They only allocate \$150 billion in their substitute for tax relief. And yet we have had opportunities on this House floor for half that amount that they have rejected. We had opportunities to prevent the AMT from impacting millions of middle-class Americans. Rejected. Preventing capital gains rates from going up which have allowed revenues to the government to increase, 11, 12 percent. Dividend taxes, preventing those from going up. They have rejected that. But they put \$150 billion in their own substitute, which doesn't even cover the child tax credit, the marriage penalty, the death tax, the whole host of other issues. The numbers don't add up.

Ours is the responsible, comprehensive blueprint. We deal with a freeze, a near freeze on discretionary spending,

non-defense discretionary spending. We deal with the mandatory side of the ledger which is now over half of Federal spending, something that the Blue Dogs claim that they are concerned about, something that fiscal hawks on the other side claim that they are concerned about; and it is nowhere to be found in their substitute.

□ 1900

Ours is the only budget that is comprehensive, responsible, and honest about the challenges that are facing this great land.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 15 seconds to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, for the sake of clarification, there is no assumption in our budget resolution about a tax gap, realizing a tax gap. We did use that concept as an offset in the budget markup, but it is not in the budget resolution. There is no assumption to that effect at all.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

If the previous question is defeated, I will modify this rule to provide that immediately after the House passes this rule, it will take up legislation to restore fiscal responsibility to the congressional budget process.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, this bill will do two very important things. First, it will reinstate the pay-as-you-go requirement that was in the Balanced Budget and Emergency Deficit Control Act that expired in 2002. The bill will restore the PAYGO provision and extend it through the year 2011.

Mr. Speaker, the budget process may be complicated, but one thing is clear: We should be required to pay for new spending and tax breaks instead of running the highest deficits in the history of our country. The message is simple: If you want more tax breaks for millionaires, then pay for them. Our constituents have to take responsibility for their personal spending and their personal debt. So should we.

In addition, this bill will repeal rule XXVII, the House rule that blocks a direct vote on increasing the Federal debt limit, thereby shielding Members of this House from any responsibility for the massive rise in the debt ceiling. Under this rule, simply passing the budget effectively triggers an automatic increase in the debt ceiling. Members never have to get their hands dirty or explain to their constituents why our national debt continues to skyrocket to numbers that are so massive that they are almost impossible to

comprehend. They never have to take a position or provide a reason. They can just pretend that it happened without any way to stop it. And to make this even worse, it only happens in the House. The Senate will still vote for the debt limit increase directly.

This Republican budget resolution calls for yet another increase in the debt limit by \$653 billion, bringing our total debt limit to \$9.6 trillion. Democrats believe that we should repeal House rule XXVII and require a straight up-or-down vote on raising the Federal debt limit.

I say to my colleagues, take responsibility. Show some backbone. Have some courage and explain to the American people why you are driving this country into debt.

I urge a "no" vote on the previous question.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. PUTNAM. Mr. Speaker, I rise to make two clarifications. One, to my friend from Massachusetts, I would clarify that the rule he seeks to repeal is commonly known as the Gephardt rule. Secondly, I would clarify the clarification made by my friend Mr. SPRATT that on page 51, lines 13 through 19 of the legislation known as the Spratt amendment, there is tax relief that is provided; the additional revenue loss is offset such as through the recovery of a portion of unpaid revenue, commonly known as the tax gap, which we referred to. So that is a portion of their amendment.

Mr. MCGOVERN. Mr. Speaker, will the gentleman yield?

Mr. PUTNAM. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Speaker, just for clarification, the so-called Gephardt rule expired, and then it was reinstated by the Republican majority; so it is now the Hastert rule.

Mr. PUTNAM. We like to give credit where credit is due, and being big fans of intellectual property rights, since we protect intellectual property, the real creative genius in that belongs to Mr. Gephardt.

To my friend from Massachusetts, we have had a speaker come in since I said to you that I had no further speakers, and I would inquire as to whether you objected to allowing him to speak for 2 minutes.

Mr. MCGOVERN. No, I would not object.

Mr. PUTNAM. Very well.

I would yield 2 minutes to my friend from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank my friend for yielding, and I thank my friend from Massachusetts as well.

I have to say I just got in on the tail end of this, but I wanted to come down and say I think that allowing these budgets to be discussed tonight is a good thing. The Democrats will have two budgets that they are offering. The Republicans will have one, and we had the other one; so I guess it is two to

two. I know we would have 435 individual budgets if everybody could have something that they fully believed in. But, unfortunately, in a large body of 435 people where you have to have 218 votes or at least a plurality to get something done, you have got to leave behind some budgets.

And I think this is going to give us a night of some good debates. We will be able to discuss priorities, both priorities in spending and priorities in cutting and reducing and changing the face of government.

I want to point out that last year, and Mr. PUTNAM may remember, but I believe we passed the budget finally, and Mr. SPRATT might know, 214-212, which somewhat shows the precarious position of a dynamic body, that if you moved spending up a little bit, you would not have been able to pass it. If you reduced it a little bit, you would not have been able to pass it.

So in this large institution we had a budget that just was balanced as we could get it, and I think we are probably going to be heading in that direction again. And I do not think that is a bad thing. I think all this debating is good, and that our arguments that we will have tonight in a friendly spirit will also carry on to each of the 11 appropriation bills, I guess these days, 10 subcommittees, but these things will be carried on, and we will see them again and again in committee and subcommittee form.

The material previously referred to by Mr. MCGOVERN is as follows:

PREVIOUS QUESTION ON H. RES. 517, RULE FOR H. CON. RES. 376—THE FY07 CONCURRENT BUDGET RESOLUTION

At the end of the resolution add the following new sections:

"SEC. 3. Immediately upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House a bill consisting of the text specified in Section 4. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) 60 minutes of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget; and (2) one motion to recommit with or without instructions.

"SEC. 4. The text referred to in section 3 is as follows:"

H.R.—

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Restoring Fiscal Responsibility to the Congressional Budget Process Act of 2006".

SEC. 2. REINSTATEMENT OF PAY-AS-YOU-GO REQUIREMENT.

(a) SECTION 252 AMENDMENTS.—Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by striking "2002" both places it appears and inserting "2011".

(b) SECTION 275 AMENDMENT.—Section 275(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by striking "2006" and inserting "2015".

SEC. 3. VOTING TO CHANGE THE STATUTORY LIMIT ON THE PUBLIC DEBT.

The Rules of the House of Representatives are amended by repealing rule XXVII and by redesignating rule XXVIII as rule XXVII.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution * * * [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule * * * When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

Descher's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

The SPEAKER pro tempore. All time for debate has expired.

The question is on ordering the previous question on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. McGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 7 o'clock and 7 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SHIMKUS) at 8 p.m.

PROVIDING FOR FURTHER CONSIDERATION OF H. CON. RES. 376, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2007

The SPEAKER pro tempore. The pending business is the vote on ordering the previous question on House Resolution 817 on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 224, nays 193, not voting 15, as follows:

[Roll No. 153]

YEAS—224

Aderholt	Brown-Waite,	Diaz-Balart, L.
Akin	Ginny	Diaz-Balart, M.
Alexander	Burgess	Doolittle
Bachus	Burton (IN)	Drake
Baker	Buyer	Dreier
Barrett (SC)	Calvert	Duncan
Bartlett (MD)	Camp (MI)	Ehlers
Barton (TX)	Campbell (CA)	Emerson
Bass	Cantor	English (PA)
Beauprez	Capito	Everett
Biggert	Carter	Feeney
Bilirakis	Castle	Ferguson
Bishop (UT)	Chabot	Fitzpatrick (PA)
Blackburn	Chocola	Flake
Blunt	Cole (OK)	Foley
Boehlert	Conaway	Forbes
Boehner	Crenshaw	Fortenberry
Bonilla	Cubin	Fossella
Bonner	Culberson	Fox
Bono	Davis (KY)	Franks (AZ)
Boozman	Davis, Jo Ann	Frelinghuysen
Boustany	Davis, Tom	Gallegly
Bradley (NH)	Deal (GA)	Garrett (NJ)
Brady (TX)	DeLay	Gerlach
Brown (SC)	Dent	Gibbons

Gilchrest	LoBiondo	Rogers (AL)
Gillmor	Lucas	Rogers (KY)
Gingrey	Lungren, Daniel	Rogers (MI)
Gohmert	E.	Rohrabacher
Goode	Mack	Ros-Lehtinen
Goodlatte	Manzullo	Royce
Granger	Marchant	Ryan (WI)
Graves	McCaul (TX)	Ryun (KS)
Green (WI)	McCotter	Saxton
Gutknecht	McCrery	Schmidt
Hall	McHenry	Schwarz (MI)
Harris	McHugh	Sensenbrenner
Hart	McKeon	Sessions
Hastings (WA)	McMorris	Shadegg
Hayes	Mica	Shaw
Hayworth	Miller (FL)	Sha's
Hefley	Miller (MI)	Sherwood
Hensarling	Miller, Gary	Shimkus
Herger	Moran (KS)	Shuster
Hobson	Murphy	Simmons
Hoekstra	Musgrave	Simpson
Hostettler	Myrick	Smith (NJ)
Hulshof	Ney	Smith (TX)
Hunter	Northup	Sodrel
Hyde	Norwood	Souder
Inglis (SC)	Nunes	Stearns
Issa	Nussle	Sullivan
Istook	Osborne	Sweeney
Jenkins	Otter	Tancred
Jindal	Oxley	Taylor (NC)
Johnson (CT)	Paul	Terry
Johnson (IL)	Pearce	Thomas
Johnson, Sam	Pence	Thornberry
Keller	Peterson (PA)	Tiberi
Kelly	Petri	Turner
Kennedy (MN)	Pickering	Upton
King (IA)	Pitts	Waldeen (OR)
King (NY)	Platts	Walsh
Kingston	Poe	Wamp
Kirk	Pombo	Weldon (FL)
Kline	Porter	Weldon (PA)
Knollenberg	Price (GA)	Weller
Kolbe	Pryce (OH)	Westmoreland
Kuhl (NY)	Putnam	Whitfield
LaHood	Radanovich	Wicker
Latham	Ramstad	Wilson (NM)
LaTourette	Regula	Wilson (SC)
Leach	Rehberg	Wolf
Lewis (CA)	Reichert	Young (FL)
Lewis (KY)	Renzi	
Linder	Reynolds	

NAYS—193

Abercrombie	Davis (IL)	Kilpatrick (MI)
Ackerman	Davis (TN)	Kind
Allen	DeFazio	Kucinich
Andrews	DeGette	Langevin
Baca	Delahunt	Lantos
Baird	DeLauro	Larsen (WA)
Baldwin	Dicks	Lee
Barrow	Dingell	Levin
Bean	Doggett	Lewis (GA)
Becerra	Doyle	Lipinski
Berkley	Edwards	Lofgren, Zoe
Berman	Emanuel	Lowey
Berry	Engel	Lynch
Bishop (GA)	Eshoo	Maloney
Bishop (NY)	Etheridge	Markley
Blumenauer	Farr	Marshall
Boren	Fattah	Matheson
Boswell	Filner	McCarthy
Boucher	Ford	McCollum (MN)
Boyd	Frank (MA)	McDermott
Brady (PA)	Gonzalez	McGovern
Brown (OH)	Gordon	McIntyre
Brown, Corrine	Green, Al	McKinney
Butterfield	Green, Gene	McNulty
Capps	Grijalva	Meehan
Capuano	Gutierrez	Meek (FL)
Cardin	Hastings (FL)	Meeks (NY)
Cardoza	Herseth	Melancon
Carnahan	Higgins	Michaud
Carson	Hinchey	Millender-
Case	Holden	McDonald
Chandler	Holt	Miller (NC)
Clay	Honda	Miller, George
Cleaver	Hooley	Mollohan
Clyburn	Hoyer	Moore (KS)
Conyers	Inslie	Moore (WI)
Cooper	Israel	Moran (VA)
Costa	Jackson (IL)	Murtha
Costello	Jackson-Lee	Napolitano
Cramer	(TX)	Neal (MA)
Crowley	Jefferson	Oberstar
Cuellar	Johnson, E. B.	Obey
Cummings	Jones (OH)	Oliver
Davis (AL)	Kanjorski	Ortiz
Davis (CA)	Kaptur	Owens
Davis (FL)	Kildee	

Pallone	Sanders	Thompson (MS)	Beauprez	Graves	Osborne	Case	Jackson-Lee	Payne
Pascarell	Schakowsky	Tierney	Biggert	Green (WI)	Otter	Chandler	(TX)	Pelosi
Pastor	Schiff	Towns	Bilirakis	Gutknecht	Oxley	Clay	Jefferson	Peterson (MN)
Payne	Schwartz (PA)	Udall (CO)	Bishop (UT)	Hall	Paul	Cleaver	Johnson, E. B.	Pomeroy
Pelosi	Scott (GA)	Udall (NM)	Blackburn	Harris	Pearce	Clyburn	Jones (OH)	Price (NC)
Peterson (MN)	Scott (VA)	Van Hollen	Blunt	Hart	Pence	Conyers	Kanjorski	Rahall
Pomeroy	Serrano	Velázquez	Boehlert	Hastings (WA)	Peterson (PA)	Cooper	Kaptur	Rangel
Price (NC)	Sherman	Visclosky	Boehner	Hayes	Petri	Costa	Kildee	Reyes
Rahall	Skelton	Wasserman	Bonilla	Hayworth	Pickering	Costello	Kilpatrick (MI)	Ross
Rangel	Slaughter	Schultz	Bonner	Hefley	Pitts	Cramer	Kind	Rothman
Reyes	Smith (WA)	Waters	Bono	Hensarling	Platts	Crowley	Kucinich	Royalbal-Allard
Ross	Snyder	Watson	Boozman	Herger	Poe	Cuellar	Langevin	Ruppersberger
Rothman	Solis	Watt	Boustany	Hobson	Pombo	Cummings	Lantos	Rush
Royalbal-Allard	Spratt	Waxman	Bradley (NH)	Hoekstra	Porter	Davis (AL)	Larsen (WA)	Ryan (OH)
Ruppersberger	Stark	Weiner	Brady (TX)	Hostettler	Price (GA)	Davis (CA)	Lee	Salazar
Rush	Strickland	Wexler	Brown (SC)	Hulshof	Pryce (OH)	Davis (FL)	Levin	Sánchez, Linda
Ryan (OH)	Tanner	Woolsey	Brown-Waite,	Hunter	Putnam	Davis (IL)	Lewis (GA)	T.
Salazar	Tauscher	Wu	Ginny	Hyde	Radanovich	Davis (TN)	Lipinski	Sanders
Sánchez, Linda	Taylor (MS)	Wynn	Burgess	Inglis (SC)	Ramstad	DeFazio	Lofgren, Zoe	Schakowsky
T.	Thompson (CA)		Burton (IN)	Issa	Regula	DeGette	Lowey	Schiff
			Buyer	Istook	Rehberg	Delahunt	Lynch	Schwartz (PA)
			Calvert	Jenkins	Reichert	Maloney	Malone	Scott (GA)
			Camp (MI)	Jindal	Renzi	Markey	Markey	Scott (VA)
			Campbell (CA)	Johnson (CT)	Reynolds	Dicks	Marshall	Serrano
			Cannon	Johnson (IL)	Rogers (AL)	Dingell	Matheson	Sherman
			Cantor	Johnson, Sam	Rogers (KY)	Doggett	McCarthy	Skelton
			Capito	Jones (NC)	Rogers (MI)	Doyle	McCollum (MN)	Slaughter
			Carter	Keller	Rohrabacher	Edwards	McDermott	Smith (WA)
			Castle	Kelly	Ros-Lehtinen	Emanuel	McGovern	Snyder
			Chabot	Kennedy (MN)	Royce	Engel	McIntyre	Solis
			Chocola	King (IA)	Ryan (WI)	Eshoo	McKinney	Spratt
			Cole (OK)	King (NY)	Ryun (KS)	Etheridge	McNulty	Stark
			Conaway	Kingston	Saxton	Farr	Meehan	Strickland
			Crenshaw	Kirk	Schmidt	Fattah	Meek (FL)	Tanner
			Cubin	Kline	Schwarz (MI)	Filner	Meeks (NY)	Tauscher
			Culberson	Sensenbrenner	Sessions	Ford	Melancon	Taylor (MS)
			Davis (KY)	Kolbe	Shadegg	Frank (MA)	Michaud	Thompson (CA)
			Davis, Jo Ann	Kuhl (NY)	Shaw	Gonzalez	Millender-	Thompson (MS)
			Deal (GA)	LaHood	Shays	Gordon	McDonald	Tierney
			DeLay	Latham	Sherwood	Green, Al	Miller (NC)	Towns
			Dent	LaTourrette	Shimkus	Green, Gene	Miller, George	Udall (CO)
			Diaz-Balart, L.	Leach	Shuster	Grijalva	Mollohan	Udall (NM)
			Diaz-Balart, M.	Lewis (CA)	Simmons	Gutierrez	Moore (KS)	Van Hollen
			Doolittle	Lewis (KY)	Simpson	Hastings (FL)	Moore (WI)	Velázquez
			Drake	Linder	Smith (NJ)	Herseth	Murtha	Visclosky
			Dreier	LoBiondo	Smith (TX)	Higgins	Nadler	Wasserman
			Duncan	Lucas	Sodrel	Hinchey	Napolitano	Schultz
			Ehlers	Lungren, Daniel	Souder	Hinojosa	Neal (MA)	Waters
			Emerson	E.	Stearns	Holden	Oberstar	Watson
			English (PA)	Mack	Sullivan	Holt	Obey	Watt
			Everett	Manzullo	Sweeney	Honda	Oliver	Waxman
			Feeney	Marchant	Tancred	Hooley	Ortiz	Weiner
			Ferguson	McCaul (TX)	Taylor (NC)	Hoyer	Owens	Wexler
			Fitzpatrick (PA)	McCotter	Terry	Inslee	Pallone	Woolsey
			Flake	McCrery	Thomas	Israel	Pascarell	Wu
			Foley	McHenry	Thornberry	Jackson (IL)	Pastor	Wynn
			Forbes	McHugh	Tiberi			
			Fortenberry	McKeon	Turner			
			Fossella	McMorris	Upton			
			Fox	Mica	Walden (OR)			
			Franks (AZ)	Miller (FL)	Walsh			
			Frelinghuysen	Miller (MI)	Wamp			
			Gallegly	Miller, Gary	Weldon (FL)			
			Garrett (NJ)	Moran (KS)	Weldon (PA)			
			Gerlach	Murphy	Weller			
			Gibbons	Musgrave	Westmoreland			
			Gilchrest	Myrick	Whitfield			
			Gillmor	Neugebauer	Wicker			
			Gingrey	Ney	Wilson (NM)			
			Gohmert	Northup	Wilson (SC)			
			Goode	Norwood	Wolf			
			Goodlatte	Nunes	Young (FL)			
			Granger	Nussle				

NOT VOTING—15

Cannon	Jones (NC)	Sabo
Coble	Kennedy (RI)	Sanchez, Loretta
Evans	Larson (CT)	Stupak
Harman	Matsui	Tiahrt
Hinojosa	Neugebauer	Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 2027

Mr. BISHOP of Georgia and Mrs. MCCARTHY changed their vote from “yea” to “nay.”

Mr. WALSH changed his vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. NEUGEBAUER. Mr. Speaker, on rollcall No. 153 I was unavoidably detained. Had I been present, I would have voted “yea.”

Mr. TIAHRT. Mr. Speaker, on rollcall No. 153. I was unavoidably delayed. Had I been present, I would have voted “yea.”

Stated against:

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 153, had I been present, I would have voted “no.”

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 226, noes 193, not voting 13, as follows:

[Roll No. 154]

AYES—226

Aderholt	Bachus	Bartlett (MD)
Akin	Baker	Barton (TX)
Alexander	Barrett (SC)	Bass

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra

NOES—193

Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd

Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson

NOT VOTING—13

Coble	Larson (CT)	Stupak
Davis, Tom	Matsui	Tiahrt
Evans	Moran (VA)	Young (AK)
Harman	Sabo	
Kennedy (RI)	Sanchez, Loretta	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 2037

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. TIAHRT. Mr. Speaker, on rollcall No. 154, I was unavoidably delayed. Had I been present, I would have voted “yea.”

NOTICE

Incomplete record of House proceedings. Except for concluding business which follows, today's House proceedings will be continued in the next issue of the Record.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLEAVER (at the request of Ms. PELOSI) for today before 6 p.m. on account of a death in the family.

Mr. LARSON of Connecticut (at the request of Ms. PELOSI) for today on account of a family medical emergency.

Mr. STUPAK (at the request of Ms. PELOSI) for today and the balance of the week on account of family obligations.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. CROWLEY) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. WASSERMAN SCHULTZ, for 5 minutes, today.

Ms. MCKINNEY, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. BISHOP of Utah, for 5 minutes, May 18.

Mr. DREIER, for 5 minutes, May 19.

Ms. FOXX, for 5 minutes, May 18.

Mr. BILIRAKIS, for 5 minutes, May 22.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 879. An act to make improvements to the Arctic Research and Policy Act of 1984; to the Committee on Science.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1165. An act to provide for the expansion of the James Campbell National Wildlife Refuge, Honolulu County, Hawaii.

S. 1869. An act to reauthorize the Coastal Barrier Resources Act, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on May 16, 2006, she presented to the President of the United States, for his approval, the following bill.

H.R. 4297. To provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006.

ADJOURNMENT

Mr. POE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 14 minutes a.m.), the House adjourned until today, Thursday, May 18, 2006, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7546. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Emergency Secretarial Action [Docket No. 060209031-6092-02; I.D. 020606C] (RIN: 0648-AU09) received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7547. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Total Allowable Catch Amount for "Other Species" in the Groundfish Fisheries of the Gulf of Alaska [Docket No. 051116304-6035-02; I.D. 110805A] (RIN: 0648-AT92) received March 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7548. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish Retention Standard [Docket No. 050607152-6070-02; I.D. 052605B] (RIN: 0648-AT04) received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7549. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No. 001005281-0369-02; I.D. 011106A] received April 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7550. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Specifications and Management Measures; Inseason Adjustments [Docket No. 051014263-6028-03; I.D. 040506A] received April 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7551. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Processor Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 060216045-6045-01; I.D. 030906C] received March 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7552. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Polluck in Statistical Area 630 of the Gulf of Alaska [Docket No. 060216044-6044-01; I.D. 030906A] received March 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7553. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No. 001005281-0369-02; I.D. 030906E] received March 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7554. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Trip Limit Reduction [Docket No. 001005281-0369-02; I.D. 022306B] received March 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7555. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Modification of the Yellowtail Flounder Landing Limit for Western and Eastern U.S./Canada Areas [Docket No. 040804229-4300-02; I.D. 121405A] received April 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7556. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast (NE) Multispecies Fishery; Modification of the Yellowtail Flounder Landing Limit for the U.S./Canada Management Area [Docket No. 04011-2010-4114-02; I.D. 032406B] received April 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7557. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Processor Vessels Using Pot Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 060216045-6045-01; I.D. 040606B] received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7558. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Polluck in the West Yakutat District of the Gulf of Alaska [Docket No. 060216044-6044-01; I.D. 040706G] received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7559. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and

Aleutian Islands Management Area [Docket No. 060216045-6045-01; I.D. 040506C] received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7560. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish by Vessels Using Non-Pelagic Trawl Gear in the Red King Crab Savings Subarea [Docket No. 060216045-6045-01; I.D. 040406B] received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7561. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc RB211 Trent 553-61, 553A2-61, 556-61, 556A-61, 556B-61, 556B2-61, 560-61, and 560A-61 Turbofan Engines [Docket No. FAA-2005-23031; Directorate Identifier 2005-NE-41-AD; Amendment 39-14467; AD 2006-03-03] (RIN: 2120-AA64) received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7562. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 Airplanes [Docket No. FAA-2006-23703; Directorate Identifier 2005-NM-052-AD; Amendment 39-14465; AD 2006-03-01] (RIN: 2120-AA64) received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7563. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30, DC-10-30F (KC-10A and KDC-10), DC-10-40, DC-10-40F, MD-10-10F, MD-10-30F, MD-11, and MD-11F Airplanes [Docket No. FAA-2005-20034; Directorate Identifier 2004-NM-178-AD; Amendment 39-14463; AD 2006-02-11] (RIN: 2120-AA64) received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7564. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Glaser-Dirks Flugzeugbau GmbH Models DG-100 and DG-400 Sailplanes and DG Flugzeugbau GmbH Models DG-500 Elan Series and DG-500M Sailplanes [Docket No. FAA-2005-22157; Directorate Identifier 2005-CE-44-AD; Amendment 39-14464; AD 2006-02-12] (RIN: 2120-AA64) received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7565. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Raytheon Aircraft Company Model 390 Airplanes [Docket No. FAA-2005-23221; Directorate Identifier 2005-CE-51-AD; Amendment 39-14459; AD 2006-02-51] (RIN: 2120-AA64) received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7566. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. FAA-2005-22793; Directorate Identifier 2005-NM-161-AD; Amendment 39-14462; AD 2006-02-10] (RIN: 2120-AA64) received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7567. A letter from the Program Analyst, FAA, Department of Transportation, trans-

mitting the Department's final rule — Airworthiness Directives; Turbomeca Arriel 1B, 1D, 1D1, 1S1 Turboshaft Engines [Docket No. FAA-2005-21242; Directorate Identifier 2005-NE-09-AD; Amendment 39-14460; AD 2006-02-08] (RIN: 2120-AA64) received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7568. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-200, A330-300, A340-200 and A340-300 Series Airplanes [Docket No. FAA-2004-18565; Directorate Identifier 2003-NM-168-AD; Amendment 39-14461; AD 2006-02-09] (RIN: 2120-AA64) received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7569. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-120, -120ER, -120FC, -120QC, and -120RT Airplanes [Docket No. FAA-2005-22871; Directorate Identifier 2005-NM-191-AD; Amendment 39-14454; AD 2006-02-02] (RIN: 2120-AA64) received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7570. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600 2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. FAA-2005-22873; Directorate Identifier 2005-NM-197-AD; Amendment 39-14457; AD 2006-02-05] (RIN: 2120-AA64) received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7571. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-1A11 (CL-600), CL-600-2A12 (CL-601, and CL-600-2B16 (CL-601-3A, CL-601-3R, and CL-604) Airplanes [Docket No. FAA-2005-22917; Directorate Identifier 2005-NM-157-AD; Amendment 39-14456; AD 2006-02-04] (RIN: 2120-AA64) received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7572. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A310-203, 0294, and -222 Airplanes, and Model A310-300 Series Airplanes [Docket No. FAA-2005-22810; Directorate Identifier 2005-NM-143-AD; Amendment 39-14458; AD 2006-02-06] (RIN: 2120-AA64) received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7573. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Raytheon Model Hawker 800XP Airplanes [Docket No. FAA-2005-22749; Directorate Identifier 2005-NM-188-AD; Amendment 39-14455; AD 2006-02-03] (RIN: 2120-AA64) received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7574. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Raytheon Model DH.125, HS.125, and BH.125 Series Airplanes; Model BAe.125 Series 800A (C-29A and U-125), 800B, 1000A, and 1000B Airplanes; and Model Hawker 800 (including variant U-125A), and 1000 Airplanes [Docket No. FAA-2005-20969; Directorate Identifier 2005-NM-017-AD; Amendment 39-14443; AD 2006-01-04] (RIN: 2120-AA64) received April 25, 2006, pursuant

to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7575. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; British Aerospace Model HS 748 Airplanes [Docket No. FAA-2006-23799; Directorate Identifier 2004-NM-141-AD; Amendment 39-14475; AD 2006-03-11] (RIN: 2120-AA64) received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PUTNAM: Committee on Rules. House Resolution 817. Resolution providing for further consideration of the concurrent resolution (H. Con. Res. 376) establishing the congressional budget for the United States Government for fiscal year 2007 an setting forth appropriate budgetary levels for fiscal years 2008 through 2011 (Rept. 109-468). Referred to the House Calendar.

Mr. BISHOP of Utah: Committee on Rules. House Resolution 818. Resolution providing for consideration of the bill (H.R. 5386) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2007, and for other purposes (Rept. 109-469). Referred to the House Calendar.

Mr. BARTON of Texas: Committee on Energy and Commerce. H.R. 5252. A bill to promote the deployment of broadband networks and services (Rept. 109-470). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mrs. JOHNSON of Connecticut (for herself, Mr. SHAW, Mr. SHAYS, Mr. RAMSTAD, Mr. FERGUSON, Mr. SIMMONS, Mr. TIBERI, Mr. FOLEY, Mr. ENGLISH of Pennsylvania, Mr. TOM DAVIS of Virginia, Mr. CASTLE, Mr. SWEENEY, Mrs. KELLY, Mr. REHBERG, Mr. SHERWOOD, Mr. LEACH, Mr. GERALACH, Mrs. JO ANN DAVIS of Virginia, Mr. DENT, Mr. BASS, Mr. BOEHLERT, Mr. UPTON, Mr. KIRK, Mr. SCHWARZ of Michigan, Mr. PORTER, and Mr. BILIRAKIS):

H.R. 5399. A bill to amend title XVIII of the Social Security Act to eliminate the Medicare prescription drug late enrollment penalty for months during 2006, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCRERY (for himself, Mr. ALLEN, Mr. MURPHY, Mr. PORTER, and Mr. BOOZMAN):

H.R. 5400. A bill to amend title XIX of the Social Security Act to permit States to obtain reimbursement under the Medicaid Program for care or services required under the Emergency Medical Treatment and Active Labor Act that are provided in a nonpublicly owned or operated institution for mental diseases; to the Committee on Energy and Commerce.

By Mrs. EMERSON (for herself, Mr. SKELTON, Mr. REHBERG, Mr. CLEAVER, Mr. HOLT, Mr. HULSHOF, Mr. MOORE of Kansas, and Mr. OSBORNE):

H.R. 5401. A bill to amend section 308 of the Lewis and Clark Expedition Bicentennial Commemorative Coin Act to make certain clarifying and technical amendments; to the Committee on Financial Services.

By Mr. CONAWAY:

H.R. 5402. A bill to provide for the establishment of a partnership between the Secretary of Energy and appropriate industry groups for the creation of a transportation fuel conservation education campaign, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DELAY (for himself, Mr. HERGER, Mr. STARK, Mr. CAMP of Michigan, Ms. NORTON, Ms. HART, Mr. CARDOZA, and Mr. ENGLISH of Pennsylvania):

H.R. 5403. A bill to improve protections for children and to hold States accountable for the safe and timely placement of children across State lines, and for other purposes; to the Committee on Ways and Means.

By Mr. DUNCAN (by request):

H.R. 5404. A bill to authorize the Administrator of the Environmental Protection Agency to advance cooperative conservation efforts, to reduce barriers to the formation and use of partnerships to enable Federal environmental stewardship agencies to meet the conservation goals and obligations of the agencies, to promote remediation of inactive and abandoned mines, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FEENEY (for himself, Mr. MEEKS of New York, Mr. SESSIONS, Mrs. MILLER of Michigan, Mr. HENSARLING, Mr. JONES of North Carolina, Ms. FOXX, Mr. GARRETT of New Jersey, Mr. STEARNS, Mr. TIAHRT, Mr. WICKER, Mr. ROYCE, Mr. PENCE, and Mr. FLAKE):

H.R. 5405. A bill to reduce the burdens of the implementation of section 404 of the Sarbanes-Oxley Act of 2002; to the Committee on Financial Services.

By Mr. GINGREY:

H.R. 5406. A bill to suspend the visa waiver program until certain entry-exit control requirements are met, and for other purposes; to the Committee on the Judiciary.

By Mrs. LOWEY:

H.R. 5407. A bill to amend the Internal Revenue Code of 1986 to expand deductions allowed for education-related expenses and to allow an earned tuition credit against income tax for qualified tuition and related expenses; to the Committee on Ways and Means.

By Ms. MCCOLLUM of Minnesota (for herself and Mr. OBERSTAR):

H.R. 5408. A bill to urge the Government of the Republic of Armenia to resolve the murder case of Joshua Haglund, a United States citizen, in Yerevan, Armenia, and to fund scholarships at the University of Minnesota in the memory of Joshua Haglund for study abroad and diversity training; to the Committee on International Relations, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each

case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MYRICK:

H.R. 5409. A bill to amend title II of the Social Security Act to require that the Commissioner of Social Security notify individuals of improper use of their social security account numbers; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 5410. A bill to provide for the treatment of the District of Columbia as a State for purposes of representation in the House of Representatives and Senate, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PEARCE:

H.R. 5411. A bill to direct the Secretary of the Interior to establish a demonstration program to facilitate landscape restoration programs within certain units of the National Park System established by law to preserve and interpret resources associated with American history, and for other purposes; to the Committee on Resources.

By Mr. REYES (for himself, Mr. KOLBE, Mr. ORTIZ, Mr. DOGGETT, Mr. GRIJALVA, and Mr. FILNER):

H.R. 5412. A bill to establish grant programs to improve the health of border area residents and for bioterrorism preparedness in the border area, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER (for himself and Mr. CONYERS):

H.R. 5413. A bill to make improvements in the codification of title 46, United States Code; to the Committee on the Judiciary.

By Mr. SENSENBRENNER (for himself and Mr. CONYERS):

H.R. 5414. A bill to enact certain laws relating to public contracts as title 41, United States Code, "Public Contracts"; to the Committee on the Judiciary.

By Mr. GERLACH:

H. Con. Res. 402. Concurrent resolution requiring certain committees of Congress to review and evaluate the activities and progress of the Government of Iraq in securing and stabilizing Iraq; to the Committee on Rules.

By Mr. HINCHEY (for himself, Mrs. BONO, and Mrs. CAPPS):

H. Con. Res. 403. Concurrent resolution expressing the sense of Congress with regard to the importance of Women's Health Week, which promotes awareness of diseases that affect women and which encourages women to take preventive measures to ensure good health; to the Committee on Energy and Commerce.

By Mrs. LOWEY:

H. Con. Res. 404. Concurrent resolution expressing the sense of the Congress concerning contraceptives for women; to the Committee on Energy and Commerce.

By Ms. MCKINNEY:

H. Con. Res. 405. Concurrent resolution opposing any agreement between the Government of the United States and the Government of Nigeria to deploy United States Armed Forces to Nigeria; to the Committee on International Relations.

By Mr. THOMPSON of Mississippi:

H. Con. Res. 406. Concurrent resolution expressing the sense of Congress that the needs

of children affected by major disasters are unique and should be given special consideration in conducting disaster preparedness, response, recovery, and mitigation activities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WEXLER:

H. Res. 819. A resolution requesting the President and directing the Attorney General to submit to the House of Representatives all documents in the possession of the President and the Attorney General relating to requests made by the National Security Agency and other Federal agencies to telephone service providers requesting access to telephone communications records of persons in the United States and communications originating and terminating within the United States without a warrant; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. DINGELL introduced a bill (H.R. 5415) for the relief of Vernadette Bader; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 9: Mrs. MILLER of Michigan, Mr. MORAN of Virginia, Mr. COSTELLO, Mr. FARR, Mr. BLUMENAUER, Ms. MCCOLLUM of Minnesota, Ms. SCHAKOWSKY, Ms. KAPTUR, Mr. MOORE of Kansas, Ms. SLAUGHTER, Mr. WEINER, Mr. DOGGETT, Mr. SPRATT, Mrs. DAVIS of California, Mr. SHERMAN, Mr. MEEHAN, Ms. ROYBAL-ALLARD, Ms. MATSUI, Mr. SABO, Mr. BOUSTANY, Mr. MCHUGH, Mr. REICHERT, Mr. BOYD, Mrs. CAPPS, Mr. DEFazio, Mrs. MCCARTHY, Mr. BOUCHER, Ms. SOLIS, Mr. LANGEVIN, Mr. CAPUANO, Mr. WEXLER, Mr. UDALL of New Mexico, Mr. COOPER, Mr. LEACH, Mr. LOBIONDO, Mr. STRICKLAND, Mr. WELLER, Mr. ORTIZ, Mr. SANDERS, and Mrs. BIGGERT.

H.R. 23: Mr. ALEXANDER.

H.R. 65: Mr. PORTER, Mr. BAKER, Mr. BLUNT, Mr. HEFLEY, and Mr. FITZPATRICK of Pennsylvania.

H.R. 147: Mr. WHITFIELD and Mr. GRAVES.

H.R. 213: Mr. BISHOP of New York.

H.R. 269: Mr. BARROW.

H.R. 311: Mr. BOYD.

H.R. 376: Mr. GEORGE MILLER of California.

H.R. 503: Mr. HOSTETTLER.

H.R. 559: Mr. FILNER, Ms. WOOLSEY, and Mr. BROWN of Ohio.

H.R. 583: Mrs. EMERSON and Mr. FILNER.

H.R. 602: Ms. ROYBAL-ALLARD.

H.R. 698: Mr. HAYES and Mr. SHAYS.

H.R. 717: Mr. WEXLER.

H.R. 752: Mr. HIGGINS.

H.R. 898: Mr. LEVIN and Mr. CARDIN.

H.R. 1000: Mr. SCOTT of Georgia.

H.R. 1080: Ms. MCKINNEY.

H.R. 1107: Mr. CARDOZA.

H.R. 1188: Mr. RANGEL, Mrs. JONES of Ohio, and Mr. SANDERS.

H.R. 1217: Mr. INSLEE.

H.R. 1298: Mr. FERGUSON.

H.R. 1351: Mr. BARROW.

H.R. 1356: Mr. WELDON of Pennsylvania.

H.R. 1358: Mr. STRICKLAND.

H.R. 1384: Mr. DELAY.

H.R. 1426: Mr. CLAY.

H.R. 1582: Mr. BILIRAKIS.

H.R. 1589: Mr. HONDA and Ms. NORTON.

H.R. 1806: Mr. BISHOP of New York.

H.R. 2037: Mrs. DAVIS of California, Mr. SHERMAN, Mr. BISHOP of New York, and Mrs. MUSGRAVE.

H.R. 2051: Mr. RAMSTAD.
H.R. 2178: Mr. FARR, Mr. GUTIERREZ, Ms. KAPTUR, Mr. HONDA, Mr. MILLER of North Carolina, Mrs. CAPPS, Ms. PELOSI, Mr. SANDERS, Mr. KENNEDY of Rhode Island, and Mr. KANJORSKI.
H.R. 2231: Mr. WELDON of Pennsylvania, Mr. ETHERIDGE, Mr. BEAUPREZ, Mr. BACHUS, Mr. JOHNSON of Illinois, Mr. WATT, Ms. MATSUI, Mr. AL GREEN of Texas, and Mr. SALAZAR.
H.R. 2305: Mr. BISHOP of New York.
H.R. 2306: Ms. CORRINE BROWN of Florida and Ms. BERKLEY.
H.R. 2369: Mr. MURTHA, Mr. HALL, and Mr. ALLEN.
H.R. 2421: Mr. TOWNS and Mr. MURTHA.
H.R. 2561: Mr. KUHL of New York and Mrs. MCCARTHY.
H.R. 2567: Mr. MURTHA.
H.R. 2717: Mr. EDWARDS.
H.R. 2730: Mr. ISRAEL, Mr. MEEKS of New York, Ms. HERSETH, Mr. BROWN of Ohio, Mr. BOYD, Mr. LINDER, Mrs. DAVIS of California, Mr. FRANKS of Arizona, Mr. DAVIS of Alabama, and Mr. BISHOP of Georgia.
H.R. 2828: Ms. MCCOLLUM of Minnesota and Mr. JEFFERSON.
H.R. 3255: Mr. SIMMONS and Mr. PRICE of Georgia.
H.R. 3284: Mr. SMITH of Washington.
H.R. 3407: Mr. ANDREWS.
H.R. 3427: Mrs. JOHNSON of Connecticut and Mr. REYNOLDS.
H.R. 3478: Mr. DANIEL E. LUNGREN of California and Mr. PEARCE.
H.R. 3540: Mr. MORAN of Virginia.
H.R. 3547: Mr. ENGLISH of Pennsylvania.
H.R. 3584: Ms. WOOLSEY and Mr. MARKEY.
H.R. 3616: Mr. SANDERS.
H.R. 3658: Ms. JACKSON-LEE of Texas.
H.R. 3702: Mr. REYES.
H.R. 3836: Mr. SOUDER.
H.R. 3858: Mr. GALLEGLY and Ms. DEGETTE.
H.R. 3949: Mr. BARROW, Mr. GONZALEZ, and Mr. CONYERS.
H.R. 4042: Mrs. JO ANN DAVIS of Virginia.
H.R. 4063: Mr. PITTS.
H.R. 4098: Mr. EVERETT.
H.R. 4183: Mr. ABERCROMBIE.
H.R. 4188: Ms. MATSUI and Mr. CUMMINGS.
H.R. 4197: Mr. MCGOVERN.
H.R. 4211: Ms. MCKINNEY.
H.R. 4217: Mr. BRADLEY of New Hampshire.
H.R. 4236: Mr. MARSHALL.
H.R. 4239: Mr. CHOCOLA and Mr. NORWOOD.
H.R. 4381: Mr. BOUSTANY, Mr. JONES of North Carolina, and Mr. BURGESS.
H.R. 4416: Mr. SANDERS, Mrs. LOWEY, Ms. HARRIS, and Mr. BLUMENAUER.
H.R. 4450: Mr. FEENEY and Mr. HOEKSTRA.
H.R. 4452: Ms. LINDA T. SANCHEZ of California and Mr. VAN HOLLEN.
H.R. 4469: Ms. BORDALLO, Mrs. CHRISTENSEN, Mr. GRIJALVA, Ms. ROYBAL-ALLARD, Mr. CONYERS, Ms. LINDA T. SANCHEZ of California, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. NAPOLITANO, Mr. GUTIERREZ, Mr. ORTIZ, Mr. PASTOR, Mr. GONZALEZ, Mr. CUELLAR, Mr. BACA, Mr. SERRANO, Mr. DOGGETT, Mr. BROWN of Ohio, and Mr. STARK.
H.R. 4550: Mrs. WILSON of New Mexico, Ms. MCCOLLUM of Minnesota, and Mr. STARK.
H.R. 4576: Mr. WICKER.
H.R. 4597: Mr. BURGESS, Mr. SESSIONS, Mr. EDWARDS, Mr. HEFLEY, Mr. BONILLA, and Ms. BERKLEY.
H.R. 4600: Mr. LANTOS and Ms. WOOLSEY.
H.R. 4621: Mr. SOUDER.
H.R. 4651: Mr. LANGEVIN.
H.R. 4730: Mr. WEXLER and Mr. WOLF.
H.R. 4740: Mr. CASTLE.
H.R. 4747: Mr. MOORE of Kansas, Mr. DAVIS of Illinois, Mrs. TAUSCHER, Ms. WOOLSEY, Mr. RUSH, Mrs. MALONEY, Mr. TOWNS, Mr. LYNCH, Mr. BOEHLERT, Mr. CARDIN, Mr. CUMMINGS, Mr. OBERSTAR, Mr. LANTOS, Mr. FRANK of Massachusetts, Mr. ALLEN, Mr. WYNN, Mr.

ENGLISH of Pennsylvania, Mr. THOMPSON of Mississippi, Ms. WATSON, Mr. GERLACH, Mr. KING of New York, and Mr. HOLDEN.
H.R. 4751: Mr. WELDON of Pennsylvania, Mr. PETERSON of Pennsylvania, and Mr. HAYES.
H.R. 4755: Mr. SCOTT of Georgia, Mr. FERGUSON, Mr. LEWIS of Georgia, Mr. SHUSTER, and Mr. TERRY.
H.R. 4761: Mr. THOMPSON of Mississippi.
H.R. 4824: Mr. MOORE of Kansas.
H.R. 4843: Ms. HERSETH.
H.R. 4859: Mr. CASTLE.
H.R. 4873: Mr. LANGEVIN.
H.R. 4903: Ms. ZOE LOFGREN of California.
H.R. 4913: Mr. BARTLETT of Maryland and Mr. PAUL.
H.R. 4945: Mr. CARDIN.
H.R. 4974: Mr. JINDAL, Mr. LINDER, and Mr. HENSARLING.
H.R. 4985: Mr. HERGER.
H.R. 4992: Mr. WEXLER and Mr. REYES.
H.R. 5005: Mr. MARSHALL.
H.R. 5013: Mr. MCCRERY, Mr. PICKERING, Mr. NEY, Mr. HOLDEN, and Mr. STEARNS.
H.R. 5022: Ms. HERSETH and Mr. SANDERS.
H.R. 5047: Ms. MCKINNEY.
H.R. 5056: Mrs. MILLER of Michigan, Mr. DAVIS of Kentucky, Mrs. BIGGERT, Mr. MCCAUL of Texas, Mrs. KELLY, and Ms. GINNY BROWN-WAITE of Florida.
H.R. 5058: Mr. MOORE of Kansas.
H.R. 5072: Mr. GRAVES.
H.R. 5099: Mr. BISHOP of Georgia and Mrs. MUSGRAVE.
H.R. 5106: Mr. BACA, Ms. SOLIS, Mr. SERRANO, Mr. GONZALEZ, Mr. BECERRA, Mr. MCGOVERN, and Mr. FRANK of Massachusetts.
H.R. 5108: Mr. AL GREEN of Texas, Mr. CARTER, Mr. CULBERSON, Mr. BONILLA, Mr. BURGESS, Mr. CONAWAY, Mr. SESSIONS, Mr. MCCAUL of Texas, Mr. DELAY, Mr. BARTON of Texas, Ms. JACKSON-LEE of Texas, Mr. GENE GREEN of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PAUL, Mr. ORTIZ, Mr. REYES, Mr. DOGGETT, Mr. NEUGEBAUER, Mr. GOHMERT, Mr. THORNBERRY, Mr. BRADY of Texas, Mr. MARSHALL, Mr. SAM JOHNSON of Texas, Ms. GRANGER, Mr. HALL, Mr. HENSARLING, Mr. CUELLAR, Mr. GONZALEZ, Mr. HINOJOSA, Mr. EDWARDS, and Mr. SMITH of Texas.
H.R. 5121: Mr. FORTUÑO, Mrs. CAPITO, Ms. GINNY BROWN-WAITE of Florida, Mr. ISRAEL, Mr. PEARCE, Mr. LATOURETTE, Mr. ROSS, Mr. DAVIS of Kentucky, Mr. FOLEY, Mr. PORTER, Mr. RENZI, Mr. NEUGEBAUER, Mrs. JO ANN DAVIS of Virginia, Mr. ANDREWS, Mr. SANDERS, Ms. PRYCE of Ohio, and Mr. FEENEY.
H.R. 5134: Mr. FRANK of Massachusetts, Mr. BISHOP of Utah, Mr. DAVIS of Tennessee, Mr. BISHOP of Georgia, Mr. MILLER of North Carolina, Mr. PEARCE, and Mr. SANDERS.
H.R. 5145: Mr. GIBBONS.
H.R. 5147: Mr. DEFazio, Mr. OWENS, Mrs. MALONEY, Mr. PAYNE, Mr. ROTHMAN, Mr. MCGOVERN, and Ms. WOOLSEY.
H.R. 5149: Mr. SEXTON, Mr. RANGEL, and Mr. COSTA.
H.R. 5170: Mr. DAVIS of Kentucky.
H.R. 5171: Mr. BROWN of Ohio and Mr. RYAN of Ohio.
H.R. 5182: Mr. HINOJOSA, Mr. PETERSON of Minnesota, Mr. BACHUS, Mr. DOGGETT, Mr. BISHOP of Georgia, Ms. HERSETH, Mr. RAHALL, Mr. HOYER, Mr. UDALL of Colorado, Mr. RAMSTAD, Mr. TERRY, Ms. FOX, Mr. MOLLOHAN, Mr. KUHL of New York, Mrs. CAPITO, Mr. RYAN of Ohio, and Mr. FORTENBERRY.
H.R. 5190: Mr. CUMMINGS, Mr. WYNN, Mr. JEFFERSON, and Mr. GONZALEZ.
H.R. 5201: Mr. STARK, Mr. MEEKS of New York, Mrs. MALONEY, Ms. SLAUGHTER, Mr. KING of New York, and Mr. SHUSTER.
H.R. 5206: Mr. BEAUPREZ, Mr. SANDERS, Mrs. MCCARTHY, Mr. ROTHMAN, and Mr. MCINTYRE.
H.R. 5220: Mr. HULSHOF.

H.R. 5229: Mr. FRANK of Massachusetts, Mr. McNULTY, Mr. SEXTON, Mr. BROWN of South Carolina, Mr. LANTOS, Mr. KILDEE, and Ms. MATSUI.
H.R. 5230: Mr. HOEKSTRA.
H.R. 5252: Mr. BACA, Mr. DAVIS of Tennessee, Mr. BARROW, Mr. HAYES, Mr. MACK, and Mr. BISHOP of Georgia.
H.R. 5255: Mr. MILLER of Florida, Mr. ROGERS of Alabama, and Mr. NORWOOD.
H.R. 5262: Mr. LEWIS of Kentucky, Mr. BURTON of Indiana, Ms. GINNY BROWN-WAITE of Florida, Mr. SIMPSON, and Mr. SESSIONS.
H.R. 5278: Mr. MILLER of Florida, Mr. CHOCOLA, and Mr. TERRY.
H.R. 5280: Mr. LATHAM.
H.R. 5286: Mr. OBERSTAR, Mr. CROWLEY, and Mr. MCHUGH.
H.R. 5291: Ms. GINNY BROWN-WAITE of Florida, Mr. SESSIONS, and Mr. JINDAL.
H.R. 5318: Mr. CHABOT.
H.R. 5319: Ms. GINNY BROWN-WAITE of Florida.
H.R. 5333: Mr. SMITH of New Jersey, Ms. NORTON, Mr. CARNAHAN, Mr. MICA, and Mr. SMITH of Washington.
H.R. 5336: Mrs. JO ANN DAVIS of Virginia.
H.R. 5339: Mr. GRIJALVA and Mr. WELDON of Pennsylvania.
H.R. 5341: Mr. FEENEY, Mr. PAUL, and Mr. MCHENRY.
H.R. 5348: Mr. FRANK of Massachusetts, Mr. TOWNS, and Mr. WAXMAN.
H.R. 5351: Mr. WELDON of Pennsylvania, Mr. SMITH of Texas, Mr. MCCOTTER, Mr. BRADY of Texas, Mr. CRENSHAW, Ms. JACKSON-LEE of Texas, Ms. HARRIS, Mr. ANDREWS, Mrs. LOWEY, and Mr. DENT.
H.R. 5368: Mr. WELLER.
H.R. 5373: Mr. PETERSON of Minnesota.
H.R. 5382: Mr. BROWN of Ohio.
H.R. 5383: Ms. BORDALLO, and Mr. CONYERS.
H.R. 5388: Ms. DEGETTE, Mr. HIGGINS, and Mr. CUMMINGS.
H.J. Res. 39: Mr. BARROW, Mrs. JO ANN DAVIS of Virginia, Mr. DAVIS of Kentucky, and Mr. GOODE.
H.J. Res. 53: Mr. MCCOTTER.
H. Con. Res. 336: Mr. CONYERS.
H. Con. Res. 346: Ms. LORETTA SANCHEZ of California, Mr. STEARNS, Mr. TERRY, Mr. BARTON of Texas, and Mr. MCCAUL of Texas.
H. Con. Res. 348: Ms. CARSON.
H. Con. Res. 384: Ms. WATERS, Mr. DAVIS of Alabama, Mr. WEXLER, Mr. EVANS, Ms. MILLENDER-MCDONALD, and Mr. LANTOS.
H. Con. Res. 393: Mr. BROWN of Ohio.
H. Con. Res. 401: Mr. VAN HOLLEN, Mr. BROWN of Ohio, Ms. KAPTUR, Mr. WAXMAN, Mr. DOGGETT, Mr. JEFFERSON, Mr. HINCHEY, Mr. STRICKLAND, Mr. LARSON of Connecticut, Mr. DELAHUNT, Mr. WYNN, Ms. JACKSON-LEE of Texas, Mr. McNULTY, and Mr. MCDERMOTT.
H. Res. 230: Mr. PAUL and Mr. LEACH.
H. Res. 490: Ms. CARSON and Mr. GONZALEZ.
H. Res. 526: Mr. SHERMAN.
H. Res. 690: Mr. COLE of Oklahoma.
H. Res. 723: Ms. BERKLEY and Mr. KUCINICH.
H. Res. 749: Mr. RUSH.
H. Res. 760: Mr. HIGGINS and Mrs. MCCARTHY.
H. Res. 773: Mr. RANGEL.
H. Res. 777: Mr. OWENS, Mr. HASTINGS of Florida, Mrs. MCCARTHY, and Mr. RUSH.
H. Res. 785: Mr. YOUNG of Florida, Ms. DEGETTE, and Mr. KUCINICH.
H. Res. 790: Mr. GRIJALVA and Mr. HASTINGS of Florida.
H. Res. 795: Mr. FORTENBERRY.
H. Res. 804: Mr. AKIN, Mr. McNULTY, Mr. BURTON of Indiana, Ms. HART, Mr. FERGUSON, Mr. MCGOVERN, Mr. CANTOR, and Mr. GORDON.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2567: Ms. BALDWIN.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5386

OFFERED BY: MR. PALLONE

AMENDMENT No. 3: At the end of the bill (before the short title) insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. None of the funds made available in this Act may be used to promulgate in final form, issue, implement, or enforce the Environmental Protection Agency's Toxics Release Inventory Burden Reduction Proposed Rule published in the Federal Register on October 4, 2005 (Volume 70, Number 191) at pages 57822 and following or the Toxics Release Inventory 2006 Burden Reduction Proposed Rule published in the Federal Register on October 4, 2005 (Volume 70, Number 191) at pages 57871 through 57872.

H.R. 5386

OFFERED BY: MR. CHABOT of Ohio

AMENDMENT No. 4: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to plan, design, study, or construct a forest development road in the Tongass National Forest for the purpose of harvesting timber by private entities or individuals.

H.R. 5386

OFFERED BY: MR. BEAUPREZ

AMENDMENT No. 5: In title III of the bill under the heading "WILDLAND FIRE MANAGEMENT (INCLUDING TRANSFER OF FUNDS)", insert after the first dollar amount the following: "(increased by \$28,700,000)".

In title III of the bill under the heading "NATIONAL ENDOWMENT FOR THE ARTS—GRANTS AND ADMINISTRATION", insert after the first dollar amount the following: "(reduced by \$30,000,000)".

H.R. 5386

OFFERED BY: MR. RAHALL

AMENDMENT No. 6: At the end of the bill (before the short title) insert the following new section:

SEC. _____. LIMITATION ON USE OF FUNDS FOR SALE OR SLAUGHTER OF FREE-ROAMING HORSES AND BURROS.

None of the funds made available by this Act may be used for the sale or slaughter of wild free-roaming horses and burros (as defined in Public Law 92-195).

H.R. 5386

OFFERED BY: MRS. MUSGRAVE

AMENDMENT No. 7: At the end of the bill (before the short title), add the following:

TITLE ____—ADDITIONAL GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. _____. None of the amounts made available in this Act may be used for review or study by the United States Geological Survey of Preble's meadow jumping mouse (*Zapus hudsonius preblei*) or of any subspecies of such species.

H.R. 5386

OFFERED BY: MR. TANCREDO

AMENDMENT No. 8: Page 28, line 14, strike "; and of which" and all that follows through "Provided further," on line 22.

H.R. 5386

OFFERED BY: MR. MEEHAN

AMENDMENT No. 9: At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. No funds appropriated under this Act may be used to finalize, issue, implement, or enforce the proposed policy of the Environmental Protection Agency entitled "National Emissions Standards for Hazardous Air Pollutants", Docket ID No. EPA-HQ-OAR-2004-0094 or any proposed or final rulemaking or policy change replacing the policy described in the May 16, 1995 EPA memorandum ("Potential to Emit for Maximum Achievable Control Technology (MACT) Standards—Guidance on Timing Issues," May 16, 1995, from John Seitz, Director, Office of Air Quality Planning and Standards, to EPA Regional Air Division Directors).

H.R. 5386

OFFERED BY: MR. CANNON

AMENDMENT No. 10: Page 46, line 8, after the dollar amount insert "(reduced by \$18,000,000)".

Page 47, line 1, after the first dollar amount insert "(increased by \$16,000,000)".

H.R. 5386

OFFERED BY: MRS. MALONEY

AMENDMENT No. 11: Under "MINERALS MANAGEMENT SERVICE—ROYALTY AND OFFSHORE MINERALS MANAGEMENT", after the first dollar amount insert "(increased by \$1,000,000) (reduced by \$1,000,000)".

H.R. 5384

OFFERED BY: MR. GUTKNECHT

AMENDMENT No. 13: At the end of the bill (before the short title), insert the following new section:

SEC. 7____. (a) LIMITATION ON USE OF FUNDS.—None of the funds appropriated or otherwise made available by this Act shall be used to implement the limitation in section 720 of this Act.

(b) CORRESPONDING REDUCTION IN FUNDS.—The amounts otherwise provided by this Act are revised by reducing the amount made available for "AGRICULTURAL RESEARCH SERVICE—BUILDINGS AND FACILITIES" and the amount made available for "COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE—RESEARCH AND EDUCATION ACTIVITIES" by \$65,319,000 and \$16,681,000, respectively.

H.R. 5384

OFFERED BY: MR. JOHNSON OF ILLINOIS

AMENDMENT No. 14: Page 82, after line 14, insert the following:

SEC. 853. The Secretary of Agriculture shall request the Institute of Medicine of the National Academy of Sciences to conduct a study of the specific food consumption and the nutritional value of foods purchased by households that participate in the food stamp program. The National Academy of Sciences shall issue recommended guidelines based on the results of the study for the creation of a nutritional food list for use by such households for potential food purchase incentives.